

ROCHESTER CITY COUNCIL

REGULAR MEETING

June 16, 2015

Present - President Scott, Councilmembers Conklin, Haag, McFadden, Miller, Ortiz, Palumbo, Patterson, Spaul - 9

Absent – 0.

The Council President requested the Council to rise for a Moment of Silence.

Pledge of Allegiance to the Flag of the United States of America.

Recognition Ceremony

Retirement:

DES

Giovanni D'Alessandro

*Philip A. Foss

FINANCE

*Marie P. Burgos

ECD

*Richard W. Kirby

CITY CLERK

*Betsy P. Indivino

RFD

*Joseph G. Childs

*Stephen J. Laboski

*Daniel M. Mancuso

*Therese Mancuso

*John D. McDermott

*Thomas P. Mulhern, Jr.

RPD

Lorraine Strem

*Anne Marie Garland

*Elaine F. Hosmer

*H. Wilson Johnson

*Mark J. Lembke

*Jeffrey N. Nobles

**Not attending meeting.*

June 16, 2015

APPROVAL OF THE MINUTES

By Councilmember McFadden

RESOLVED, that the minutes of the Regular Meeting of May 19, 2015 and the Special Meeting of June 9, 2015 be approved as published in the official sheets of the Proceedings.

Adopted unanimously.

COMMUNICATIONS FROM THE MAYOR, COUNCIL PRESIDENT, CORPORATE OFFICERS AND OTHERS.

The following communications are hereby directed to be received and filed:

The Mayor submits the following:

Administrative Cancellation or Refund of Erroneous Taxes and Charges 4186-15

Public Disclosure – CDBG 4187-15

Public Disclosure – CDBG Participation 4188-15

The Council submits Disclosure of Interest Forms from Councilmember Haag on Int. Nos. 191, 199, 235, and 239, Councilmember Spaul on Int. Nos. 197, 200, and 214, Councilmember Conklin on Int. No. 212, and Council Vice President Miller on Int. No. 197.

THE COUNCIL PRESIDENT --- PRESENTATION AND REFERENCE OF PETITIONS AND OTHER COMMUNICATIONS.

Councilmember Conklin submits 32 signatures opposing the proposed parking rates for the East End Garage. Petition No. 1711

Councilmember Palumbo submits 66 signatures requesting that the Milling and Resurfacing Project in Charlotte be expedited. Petition No. 1712

Councilmember Patterson submits 97 signatures requesting that Eugenio Maria de Hostos Charter School occupy the property at 27 Zimbrich Street. Petition No. 1713

PUBLIC HEARINGS.

Pursuant to law, public hearing will now be had on the following matter:

The acquisition of parcels for the Dewey Avenue and Driving Park Avenue Intersection Realignment Project by negotiation or condemnation pursuant to New York State Eminent Domain Procedure Law 4 Speakers James McIntosh, Laurie Casbaugh, Michael Flaum, Bill Collins.

Authorizing agreements and appropriating funds for the Buyer Assistance Program Int. No. 202 No speakers.

June 16, 2015

Authorizing agreements and appropriating funds for the Homebuyer Training Program
Int. No. 203 No speakers

Changing the zoning classification of 4 Edgewood Park from R-2 Medium Density Residential District to C-2 Community Center District Int. No. 204 4 Speakers Andy Hart, Barbara Hoffman, Staci Colaprete, Dawn Noto.

Changing the zoning classification of 818 Hudson Avenue and 28, 32, 36, 42, and 46 Herald Street from R-1 low Density Residential District to M-1 Industrial District and changing the zoning classification of 854 Hudson Avenue from C-1 Neighborhood Center District to M-1 Industrial District Int. No. 205 1 Speaker Tom Iles.

Approving pavement width changes to East Broad Street, South Clinton Avenue and Mortimer Street Int. No. 220 No speakers.

Changing the traffic flow on East Broad Street from one-way westbound to two-way traffic
Int. No. 221 No speakers.

Changing the traffic flow on South Clinton Avenue from one-way northbound to two-way traffic
Int. No. 222 No Speakers.

Approving pavement width changes on Lake Avenue Int. No. 223 No Speakers.

REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Conklin
June 16, 2015

To the Council:

The Finance Committee recommends for Adoption the following entitled legislation:

Int. No. 183	Approving the commitment of funds for property tax relief and retirement costs
Int. No. 184	Authorizing a professional services agreement for development of an entry level Firefighter examination
Int. No. 185	Authorizing a professional services agreement for real estate title services
Int. No. 186	Authorizing competitive grant applications
Int. No. 187	Resolution supporting Consolidated Funding Grant Application

June 16, 2015

- Int. No. 236 Resolution approving the 2015-16 debt limit for general municipal purposes
- Int. No. 237 Resolution supporting Consolidated Funding Grant Application
- Int. No. 242 Local Improvement Ordinance – street cleaning, street and sidewalk snow removal, and hazardous sidewalk repair commencing July 1, 2015 and expiring June 30, 2016
- Int. No. 243 Confirming the assessments, amounts and charges to be inserted in the annual tax rolls for the fiscal year commencing July 1, 2015 and expiring June 30, 2016
- Int. No. 244 Amending the Municipal Code with respect to refuse fees
- Int. No. 245 Amending the Municipal Code with respect to water rates
- Int. No. 246 Amending the Municipal Code with respect to parking rates
- Int. No. 247 Amending the Municipal Code with respect to permit fees as amended

The following entitled legislation is being held in committee:

- Int. No. 238 Adoption of Budget estimates for Municipal Purposes for the 2015-16 fiscal year, appropriation of sums set forth therein, and approving commercial refuse fees as amended
- Int. No. 239 Adoption of the Budget estimates for School purposes for the fiscal year commencing July 1, 2015 and expiring June 30, 2016, and appropriation of sums set forth therein
- Int. No. 240 Levying taxes for Municipal Purposes for the fiscal year commencing July 1, 2015 and expiring June 30, 2016
- Int. No. 241 Levying taxes for School purposes for the fiscal year commencing July 1, 2015 and expiring June 30, 2016

Respectfully submitted,
Carolee A. Conklin
Carla M. Palumbo
Jacklyn Ortiz
Dana K. Miller
Loretta C. Scott
FINANCE COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Re: Ordinance No. 2015-158
 Committing Tax Relief and
 Retirement Reserves

June 16, 2015

Council Priority: Deficit Reduction and
Long Term Financial Stability

Transmitted herewith for your approval is legislation authorizing the commitment of previously assigned funds for Property Tax Relief and Retirement Costs in accordance with Governmental Accounting Standards Board (GASB) Statement 54 *Fund Balance Reporting and Government Fund Type Definitions*.

From the surplus available at the end of 2013-14, the Director of Finance, as authorized in the City Charter, assigned an additional \$2,619,100 to Property Tax Relief and an additional \$6,000,000 to Retirement Costs. In order to change the classification from *assigned* to *committed*, City Council action is required. These commitments would bring the total General Fund Balance committed for Property Tax Relief to \$28,525,600 and for Retirement Costs to \$27,929,000. These balances will be further reduced by the appropriation of similar amounts, \$2,619,100 for Property Tax Relief and \$6,000,000 for Retirement Costs, in the 2014-15 Approved Budget.

The committed fund balance classification includes amounts that can be used only for the specific purposes determined by the action of City Council. Specifically, funds committed for Property Tax Relief (formerly the Tax Relief Reserve) can only be used to address future projected budget deficits; and funds committed to Retirement Costs (formerly the Retirement Reserve) will be used to manage future retirement costs.

These additional funds are available as a result of favorable 2013-14 year-end variances attributable to savings from personnel vacancies and related fringe benefits, additional delinquent property tax revenue, sales tax collections, unanticipated revenue and the cancellation of unspent prior year encumbrances.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-158
(Int. No. 183)

Approving the commitment of funds for property tax relief and retirement costs

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby approves the commitment of \$2,619,100 to Property Tax Relief for its designated purpose to assist in addressing future projected budget deficits. The Council hereby further approves the commitment of \$6,000,000 to Retirement Costs to assist in managing projected increases in retirement costs.

Section 2. The funds to be committed shall be funded from the surplus available from the 2013-14 Budget, said funds having previously been assigned to the purpose of tax relief, and to the purpose of retirement by the Director of Finance pursuant to the authority granted to him by the City Charter.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

June 16, 2015

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2015-159
Re: Agreement - Fire and Police Selection,
Inc. Entry Level Firefighter Written
Examination

Council Priority: Public Safety; Jobs and
Economic Development

Transmitted herewith for your approval is legislation establishing \$20,650 as maximum compensation for a two year agreement with Fire and Police Selection, Inc., Folsom, California, for the development of an entry level Firefighter written examination, with an option for a two-year renewal. The agreement will be funded from the 2015-16 and future budgets of the Department of Human Resource Management, contingent upon approval of said budgets.

On April 24, 2016, the current Firefighter Civil Service Eligible List will be four years old, which is the maximum duration allowed for a Civil Service Eligible List under New York State Civil Service Law. As a result, a new test will need to be administered to allow for the hiring of new Firefighters after the expiration of the current Civil Service Eligible List.

Fire and Police Selection, Inc. was selected through a request for proposals process described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-95

Ordinance No. 2015-159
(Int. No. 184)

**Authorizing a professional services agreement for development of an entry level
Firefighter examination**

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into a professional services agreement between the City and Fire and Police Selection, Inc. for development of an entry level Firefighter examination for a term of two years with an optional two-year renewal. The maximum amount shall be \$20,650. Said amount shall be funded from the 2015-16 Budget of the Department of Human Resource Management, and if renewed, the maximum amount shall be \$20,650 for the renewal period and shall be funded from future budgets of the Department of Human Resource Management, contingent upon the adoption of said budgets.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

June 16, 2015

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2015-160
Re: Agreement - Independent Title
Agency, LLC, Real Estate Title
Services

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation authorizing an agreement with Independent Title Agency, LLC, Brighton, New York, for the continued provision of real estate title services, for a term of one year with two annual renewals. The maximum cost of the agreement will be \$250,000 per year, which will be financed from the 2015-16, 2016-2017, and 2017-18 Budgets of Undistributed Expenses, contingent upon adoption of said budgets.

Each year, the City requires title services for properties that are involved in tax foreclosure proceedings and real estate transactions. Currently, these services have been provided by Independent Title Agency under agreements authorized by City Council in 2002, 2005, 2006, 2009, and 2012.

For the last tax foreclosure, Independent Title Agency searched 1,067 titles. For this year's action, the firm is expected to search approximately 1,619 titles.

On April 10, 2015, the Law Department issued a request for proposals for the provision of these services, as described in the attached summary.

Under the proposed agreement, Independent Title Agency will provide title services, as well as prepare creditor notification letters for properties in foreclosure, for the fees per parcel as listed below. The price for foreclosure searches is the same as the fees provided in the current agreement.

<u>Service</u>	<u>Proposed Fee</u>	<u>Current Fee</u>
Preliminary (10-year) report	\$ 95	\$ 95
Update of prior preliminary report	70	70
Full (60-year) report with prior preliminary search	200	200
Full search without prior preliminary search	260	260

Respectfully submitted,
Lovely Warren
Mayor

Attachment No. AO-96

Ordinance No. 2015-160
(Int. No. 185)

Authorizing a professional services agreement for real estate title services

BE IT ORDAINED, by the Council of the City of Rochester as follows:

June 16, 2015

Section 1. The Mayor is hereby authorized to enter into a professional services agreement between the City and Independent Title Agency, LLC, for provision of real estate title services for a term of one year with two optional one year renewals. The maximum annual amount shall be \$250,000 per year. Said amounts shall be funded from the 2015-16, 2016-17 and 2017-18 Budgets for Undistributed Expenses, contingent upon adoption of said budgets.

Section 2. The agreement shall contain such other terms and conditions as the Mayor deems appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2015-161

Re: Competitive Grant Applications -
Fiscal Year 2015-16

Transmitted herewith for your approval is legislation authorizing certain competitive grant applications for the 2015-16 fiscal year. This legislation helps streamline the application process. Council has approved such grant applications annually since 2007.

There are hundreds of federal, state, regional, and private grant opportunities that the City qualifies for as a municipality. Frequently, granting agencies require City Council endorsement as part of the application process. Providing this “up front” approval will enable staff to respond to funding opportunities more quickly.

Grant applications will continue to require individual Council endorsement when:

- The City is required to pay more than \$250,000 of the cost of the project;
- The award exceeds \$1,000,000; or
- For capital projects, completion is required in one calendar year or less.

Reports on funds received will be presented to Council on request.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-97

Ordinance No. 2015-161
(Int. No. 186)

Authorizing competitive grant applications

BE IT ORDAINED, by the Council of the City of Rochester as follows:

June 16, 2015

Section 1. The Mayor is hereby authorized to submit applications to Federal, State, and regional governments, agencies and authorities, as well as private foundations and other funding sponsors, for funding that will support City programs, services and capital operations.

Section 2. For successful award applications, the Mayor shall obtain City Council approval to enter into agreements for receipt of the funding and necessary professional services agreements for performance of the work, and for appropriation of the funds.

Section 3. The applications shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. Grant applications which obligate the City of Rochester to pay more than \$250,000 in City funding shall require City Council authorization.

Section 5. Grant applications exceeding \$1,000,000 and awards for capital projects that require project completion in one calendar year or less shall require City Council authorization.

Section 6. The Director of Finance shall submit quarterly reports to Council for grants received through applications authorized herein, detailing dollar amounts received and expended.

Section 7. This ordinance shall be in effect for the 2015-16 fiscal year.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2015-10
Re: Grant Application - 2015-16 New
York State Consolidated Funding
Application

Council Priority: Creating and Sustaining
a Culture of Vibrancy

Transmitted herewith for your approval is legislation endorsing a 2015-16 New York State Consolidated Funding Application (CFA) by Geva Theater Center for renovation of its historic armory. This project is supported by the City of Rochester and consistent with City policy.

The CFA is the single point of entry for accessing up to \$750 million in State funding from 11 State agencies: Empire State Development; Canal Corporation; Energy Research and Development Authority; Environmental Facilities Corporation; Homes and Community Renewal; Department of Labor; Power Authority; Office of Parks, Recreation, and Historic Preservation; Department of State; Department of Environmental Conservation; and Council on the Arts. Geva's application includes funding from the New York Main Street Grant, which requires municipal legislation endorsing applications from external agencies. Applications are due on July 31, 2015.

Geva's project will transform its nearly 150-year-old historic armory building into a world-class 21st-century performance facility. Geva Theatre Center is New York State's largest and most attended professional theater outside of Manhattan. Having recently renovated and restored the exterior of the building and mechanical systems, the final element of the project is interior renovation. This

June 16, 2015

portion of the renovation will transform the café and bar into a full-service bistro that showcases the rich agriculture and wine of the Finger Lakes region; create dynamic and interactive displays for the lobby that highlight the history of Geva's building and productions; renovate the two theaters; and build new entertainment suites for donors, business leaders and community groups to meet and host events.

The City's endorsement will ensure that Geva has the opportunity to compete for CFA grant funds as listed below:

<u>Agency</u>	<u>Project</u>	<u>State Funding Programs</u>	<u>Total Project Cost</u>	<u>State Request</u>	<u>Geva's Capital Campaign</u>
Geva Theater Center	Geva Theater Historic Armory Renovation	NY Main Street Program Empire State Development Market NY Program	\$3,000,000	\$850,000	\$2,150,000

Respectfully submitted,
Lovely A. Warren
Mayor

Resolution No. 2015-10
(Int. No. 187)

Resolution supporting Consolidated Funding Grant Application

BE IT RESOLVED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby endorses the application for funding not to exceed the following through the 2015-16 Consolidated Funding Application by an external organization for the following project in the City set forth, and the Council finds that the application and project are consistent with City policies and goals:

<u>Agency</u>	<u>Project</u>	<u>State Funding Programs</u>	<u>Total Project Cost</u>	<u>State Request</u>	<u>Geva's Capital Campaign</u>
Geva Theater Center	Geva Theater Historic Armory Renovation	NY Main Street Program Empire State Development Market NY Program	\$3,000,000	\$850,000	\$2,150,000

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2015-11
Re: 2015-16 Debt Limit

June 16, 2015

Council Priority: Deficit Reduction and
Long Term Financial Stability

Transmitted herewith for your approval is legislation establishing the Debt Limit and Debt Rollover and Debt Extension amounts for the 2015-16 Budget.

2015-16 Debt Limit

The Debt Limit for tax supported borrowing is equal to the amount of principal on outstanding debt to be redeemed during the fiscal year for which the limit is established. The calculation excludes the redemption of principal on any borrowing approved as an exception to the Debt Limit and is further reduced by specific revenues attributable to bonded debt. The resulting Debt Limit for 2015-16 is \$19,045,000.

Attached is the 2015-16 Debt Authorization Plan which calls for borrowing of \$19,045,000 in tax supported funds. As a result of the reversion of the Parking Fund to being tax-supported, principal repayments of \$2,899,000 for Parking are included within this limit, thereby limiting new debt to the same amount which will result in a revision to the proposed 2015-16 Capital Improvement Plan. The Plan also includes an additional \$4,452,000 supported by the City's Water Fund.

Debt Rollover 2014-15 and 2013-14

The Debt Authorization Plans for the current and the two immediately prior fiscal years can remain open contingent upon the approval of the rollover amounts. This provides flexibility in the timing of authorizations which vary depending upon project timing, availability of supporting funds, and the participation of private sector partners. The rollover amounts equal the difference between the debt limit for any fiscal year and the sum of the authorizations made from the debt plan associated with that fiscal year. This sum may be further reduced by the amount of unauthorized items in the debt plan that are no longer necessary. The presentation of the rollover also includes any modifications made to the debt plan. Such rollovers do not result in authorizations exceeding the allowable authorization for any year.

2014-15: The Debt Limit for this year was \$16,921,000. Of that amount, \$1,989,000 has been authorized, leaving a balance of \$14,932,000. Approval of a rollover in that amount is requested. The attached Debt Authorization Plan for 2014-15 itemizes projects remaining for that year and the details of the changes resulting from advanced funding.

2013-14: The Debt Limit for this year was \$16,113,000. Of that amount, \$7,165,000 has been authorized, leaving a balance of \$8,948,000. Approval of a rollover in that amount is requested. The attached Debt Authorization Plan for 2013-14 itemizes projects remaining for that year.

Time Limit Extensions for 2012-13, 2011-12, 2010-11, 2009-10, 2008-09 and 2007-08

Time limit extensions are requested when projects are delayed beyond two years by market forces, significant reprogramming of funds, or other circumstances that justify carrying these authorizations beyond their expected authorization dates. Approval of extensions does not result in exceeding the allowable authorization for any fiscal year but is required by City Council Resolution. Extensions acknowledge the importance of these items as well as the fact that future replacement funds are not likely to be available. One-year extensions are requested for the following items based on programming and timing:

<u>2012-13 Project</u>	<u>Purpose</u>	<u>Amount</u>
S-5 Public Market Wintershed	rehabilitation	\$ 492,000
E-6 Investigation and Remediation	contaminated sites w/in city	150,000

June 16, 2015

O-6 Transient Marina Facilities	development	400,000
T-2 Milling & Resurfacing	street rehabilitation	3,122,000
T-2 Residential Street	street rehabilitation	<u>1,562,000</u>
	Total 2012-13 Extension	\$5,726,000

<u>2011-12 Project</u>	<u>Purpose</u>	<u>Amount</u>
T-3 Milling & Resurfacing	street rehabilitation	\$ 124,000
T-4 Residential Street	street rehabilitation	1,843,000
T-3 Pavement Program	rehabilitation	<u>239,000</u>
	Total 2011-12 Extension	\$2,206,000

<u>2010-11 Project</u>	<u>Purpose</u>	<u>Amount</u>
F-1 Rundel Library Renovations	renovation	\$3,680,000
G-9 Midtown Redevelopment III	Street rehabilitation	213,000
F-2 Investigation and Remediation	contaminated sites w/in city	<u>540,000</u>
	Total 2010-11 Extension	\$4,433,000

<u>2009-10 Project</u>	<u>Purpose</u>	<u>Amount</u>
T-2 Mt. Hope Avenue Phase II	street rehabilitation	\$ 80,000
F-2 Hazardous Waste Remediation	Seneca	<u>550,000</u>
	Total 2009-10 Extension	\$630,000

<u>2008-09 Project</u>	<u>Purpose</u>	<u>Amount</u>
G-8 Capron Street/South Avenue	downtown development	<u>\$237,000</u>
	Total 2008-09 Extension	\$237,000

<u>2007-08 Project</u>	<u>Purpose</u>	<u>Amount</u>
F-2 Hazardous Waste Remediation	contaminated sites w/in city	\$ 280,000
G-8 Historic Aqueduct Redevelopment	Broad St. aqueduct renovation	324,000
F-2 Investigation and Remediation	contaminated sites w/in city	<u>545,000</u>
	Total 2007-08 Extension	\$1,149,000

Each of these projects depends upon the partnership of developers and the cooperation of other governments. Like any business venture, delays are inevitable when financial or regulatory obstacles delay implementation. At the same time the City must continue to demonstrate its good faith by the continued availability of these authorizations.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-98

Resolution No. 2015-11
(Int. No. 236)

Resolution approving the 2015-16 debt limit for general municipal purposes

WHEREAS, an important component of the City's expense budget and tax levy is debt; and

WHEREAS, the amount of debt outstanding is one of the major factors evaluated by credit agencies in the determination of bond rating; and

June 16, 2015

WHEREAS, control of the debt service expense and the amount of outstanding debt must necessarily be exercised through restrictions on bond and note authorizations; and

WHEREAS, bond ratings influence the rate of interest which must be paid on indebtedness and therefore the amount of debt service.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Rochester, that it is the intent and policy of the City to limit the amount of bonds and notes authorized in fiscal year 2015-16 to \$19,045,000 for general municipal purposes.

BE IT FURTHER RESOLVED, unused authorizations from the debt limits for fiscal years 2013-14 and 2014-15 shall continue to be available, but no authorization included in the debt limit for a prior fiscal year, if not actually approved by the City Council, shall be carried-over and included in the limit for this fiscal year. By this resolution, the Council specifically approves inclusion for this fiscal year of unused authorizations from the debt limit for fiscal year 2012-13 relating to the Public Market Wintershed, hazardous waste investigation and remediation, development of transient marina facilities, milling and resurfacing and residential street rehabilitation; for fiscal year 2011-12 relating to milling and resurfacing, street rehabilitation and the pavement program; for fiscal year 2010-11 relating to Rundel Library renovations, Midtown Redevelopment III, and hazardous waste investigation and remediation at contaminated City sites; for fiscal year 2009-10 relating to hazardous waste investigation and remediation at contaminated City sites, and street rehabilitation including but not limited to Mount Hope Avenue; for fiscal year 2008-09 relating to downtown development near Capron Street-South Avenue, and for fiscal year 2007-08 relating to hazardous waste investigation and remediation at contaminated City sites and Historic Aqueduct Redevelopment.

BE IT FURTHER RESOLVED, that exceptions to this policy are to be approved only for projects and purposes which could not reasonably be foreseen and, if not approved, would result in an obvious public danger or economic loss; and for projects and purposes for which the debt issued therefor would be self-supporting.

BE IT FURTHER RESOLVED, that to insure continued awareness of an adherence to this policy, each separate request for authorized debt shall be accompanied by a report in which the amount of debt actually authorized is compared to the amount of debt herein established as a limit.

BE IT FURTHER RESOLVED, that the redemption of any debt issued as an exception to a debt limit shall be excluded from the calculation of subsequent debt limits.

This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Resolution No. 2015-12
Re: Grant Application - 2015-16 New
York State Consolidated Funding
Application

Council Priority: Creating and Sustaining
a Culture of Vibrancy

June 16, 2015

Transmitted herewith for your approval is legislation endorsing a 2015-16 New York State Consolidated Funding Application (CFA) by the North Winton Village Neighborhood Association for the East Main Street Revitalization Project from Culver to Winton Roads. This project is supported by the City of Rochester and consistent with City policy.

The CFA is the single point of entry for accessing up to \$750 million in State funding from 11 State agencies: Empire State Development; Canal Corporation; Energy Research and Development Authority; Environmental Facilities Corporation; Homes and Community Renewal; Department of Labor; Power Authority; Office of Parks, Recreation, and Historic Preservation; Department of State; Department of Environmental Conservation; and, Council on the Arts. The North Winton Village Neighborhood Association's application is for funding from the New York Main Street Program grant, which requires municipal legislation endorsing applications from external agencies. Applications are due on July 31, 2015.

The Neighborhood Association plans to improve the physical environment along East Main Street by assisting with the rehabilitation of commercial properties in order to stabilize and revitalize North Winton Village. Their goal, as reflected in a community visioning process, is to re-establish this portion of East Main Street as a vibrant commercial corridor that serves local residents and draws consumers from beyond the immediate locale. Those businesses receiving assistance will provide matching funds and additional funding opportunities will be sought. Seventeen properties have committed to participation in this project.

The City's endorsement will ensure that the North Winton Village Neighborhood Association has the opportunity to compete for CFA grant funds as listed below:

<u>Agency</u>	<u>Project</u>	<u>State Funding Programs</u>	<u>Total Project Cost</u>	<u>State Request</u>
North Winton Village Neighborhood Association	East Main Street Revitalization Project	NY Main Street Program	\$1,069,650	\$250,000

Respectfully submitted,
Lovely A. Warren
Mayor

Resolution No. 2015-12
(Int. No. 237)

Resolution supporting Consolidated Funding Grant Application

BE IT RESOLVED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby endorses the application for funding not to exceed the following through the 2015-16 Consolidated Funding Application by an external organization for the following project in the City set forth, and the Council finds that the application and project are consistent with City policies and goals:

<u>Agency</u>	<u>Project</u>	<u>State Funding Programs</u>	<u>Total Project Cost</u>	<u>State Request</u>
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June 16, 2015

North Winton Village Neighborhood Association	Eat Main Street Revitalization Project	NY Main Street Program	\$1,069,650	\$250,000
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Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Local Improvement Ordinance No. 1706,
Ordinance No. 2015-162,
Ordinance No. 2015-163,
Ordinance No. 2015-164,
Ordinance No. 2015-165,
Ordinance No. 2015-166,
Ordinance No. 2015-167,
Ordinance No. 2015-168,
Ordinance No. 2015-169 and
Ordinance No. 2015-170

Re: 2015-16 Budget

Council Priority: Deficit Reduction and
Long Term Financial Stability

Transmitted herewith for your approval is legislation related to the 2015-16 Budget. This legislation will:

1. Approve appropriations and establish revenue estimates for the City and City School District;
2. Authorize the tax levies required to finance appropriations for the City and City School District;
3. Authorize the budgets and related assessments for the Local Works program;
4. Confirm the assessments required for the following programs:
 - a. Street mall maintenance
 - b. Neighborhood parking lot operation
 - c. Public Market snow removal and security services
 - d. Street lighting and streetscape districts
 - e. Downtown Enhancement District
 - f. High Falls Improvement District
 - g. St. Paul Street Streetscape
 - h. Mt. Hope Streetscape
 - i. Upper East Alexander Entertainment-Refuse
 - j. Arnold Park Monument

June 16, 2015

5. Confirm the addition to the tax roll of various assessments, fees, and unpaid charges; and
6. Authorize certain fee increases and Charter and Code changes.

Details of the above actions related to the 2015-16 proposed budget of the City submitted to City Council on May 15, 2015 are summarized below:

1. Total appropriations of \$1,303,420,897 allocated for the City and the School District

	Proposed 2015-16	Amended 2014-15	\$ Difference	% Difference
City	\$ 501,602,300	\$ 503,629,200	\$ -2,026,900	- 0.4
School	<u>801,818,597</u>	<u>792,977,696</u>	<u>8,840,901</u>	+1.1
Total	\$1,303,420,897	\$1,296,606,896	\$ 6,814,001	+0.5

Total non-tax revenue distributed between the City and the District:

	Proposed 2015-16	Amended 2014-15	\$ Difference	% Difference
City	\$ 451,395,370	\$ 453,422,270	\$ - 2,026,900	-0.4
School	<u>688,673,597</u>	<u>679,832,696</u>	<u>8,840,901</u>	+1.3
Total	\$1,140,068,967	\$1,133,254,966	\$ 6,814,001	+0.6

2. Total tax levies of \$171,949,400 for the City and City School District

	Proposed 2015-16	Amended 2014-15	\$ Difference	% Difference
Tax Revenue	\$163,351,930	\$163,351,930	\$ 0	0.0
Tax Reserve	<u>8,597,470</u>	<u>8,597,470</u>	<u>0</u>	0.0
Tax Levy	\$171,949,400	\$171,949,400	\$ 0	0.0

3. Total appropriations for the Local Works fund of \$20,429,300 and total assessments of \$19,712,000

	Proposed 2015-16	Amended 2014-15	\$ Difference	% Difference
Street Maintenance	\$ 5,392,109	\$ 5,362,462	\$ 29,647	0.6
Sidewalk Repair	980,221	550,670	429,551	78.0
Roadway Plowing	10,380,805	10,198,095	182,710	1.8
Sidewalk Plowing	<u>2,958,865</u>	<u>3,406,273</u>	<u>-447,408</u>	-13.1
Total	\$19,712,000	\$19,517,500	\$ 194,500	1.0

4. Program Assessments

On April 14, 2015, the following budgets were approved: security and snow removal at the Public Market; East Avenue and Alexander Street Entertainment District; High Falls Business Improvement District; South Avenue/Alexander Street Open Space District(use of prior year assessments); street malls; and street lighting and streetscapes. The budgets for the Downtown Enhancement District and parking lots were approved on May 19, 2015. Downtown Special Services was not renewed. The assessments required are as follows:

	Proposed 2015-16	Amended 2014-15	\$ Difference	% Difference
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June 16, 2015

Street Malls	\$ 25,325	\$ 30,353	\$ -5,028	-16.6
Parking Lots	59,035	43,055	15,980	37.1
Public Market	45,649	45,635	14	0.0
Lighting and Streetscapes	27,130	41,335	-14,205	-34.4
Downtown Special Services	0	464,252	-464,252	-100.0
Downtown Enhancement	604,100	595,800	8,300	1.4
High Falls	25,000	25,000	0	0.0
South Alexander Open Space	0	6,500	-6,500	-100.0
St. Paul Street Streetscape	20,649	20,649	0	0.0
Mt. Hope Streetscape	30,000	30,000	0	0.0
East/Alexander Entertainment	20,400	20,099	301	1.5

5. Proposed additions to the tax roll consist of the following charges:

	Proposed 2015-16	Amended 2014-15	\$ Difference	% Difference
Delinquent Refuse	\$570,002	\$557,104	\$12,898	2.3
Delinquent Water	5,933,255	5,724,767	208,488	3.6
Code Enforcement	105,465	63,508	41,957	66.1
Supplemental and Omitted Taxes	178,061	184,115	-6,054	-3.3
Local Improvements	1,413	1,627	-214	-13.2
Demolitions	393,873	213,881	179,992	84.2
Encroachments	3,725	3,725	0	0.0
Rehabilitation	241,380	174,516	66,864	38.3
Code Violations	2,269,160	2,573,485	-304,325	-11.8
Arnold Park Monuments	5,118	5,118	0	0.0
Case Management Fees	0	260,420	-260,420	-100.0

6. Fee increases & Code Changes

6A. A local works increase is proposed to balance the Local Works Fund. The proposed increase is expected to result in \$156,400 additional revenue.

6B. Water rate increases are proposed to balance the Water Fund. The proposed increases are expected to result in \$396,000 additional revenue based upon a slight reduction in consumption. Consumption charges and fire service charges, including the Holly high-pressure consumption charge, are proposed to increase 1.7%. Increases are also proposed for the 5/8", 3/4", 8" and 10" base meter charge, however the 1" through 6" base meter charges will remain the same.

6C. A residential refuse rate increase is proposed to balance the Refuse Fund. The proposed increase is expected to result in \$410,000 additional residential revenue. Rates to be charged for residences with small businesses are also clarified in the proposed legislation.

6D. An increase in parking garage rates is necessary to balance the Parking Fund resulting in approximately \$105,300 additional revenue. This additional revenue consists of the following: a \$1 increase in monthly parking rates resulting in \$60,300; Rochester Philharmonic Concerts will be charged at the special event rate of \$7 per event resulting in \$32,400; and the student rate at East End increases 25 cents per hour resulting in \$12,600.

6E. Amend the City Code to increase the permit fees charged for street work and street encroachments. This change will result in incremental revenues of approximately \$40,000 over the

June 16, 2015

2014-15 revenue estimate. A new weekly inspection fee of \$200 for excavation of trenches greater than fifty feet is proposed to offset the additional expense to ensure proper restoration and safety.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-99

Local Improvement Ordinance No. 1706
(Int. No. 242)

Local Improvement Ordinance - Street cleaning, street and sidewalk snow removal, and hazardous sidewalk repair commencing July 1, 2015 and expiring June 30, 2016

BE IT ORDAINED, by the Council of The City of Rochester as follows:

Section 1. The Council finds and declares (1) that it is in the public interest to provide street cleaning, snow removal services on the streets and sidewalks, and the repair of hazardous sidewalks in the City of Rochester during the fiscal year from July 1, 2015 to June 30, 2016; (2) that the provision of such service benefits the properties abutting on such streets and sidewalks, and (3) that the cost of providing such services should be borne by the benefitted properties according to the benefit received by such properties.

Section 2. The Commissioner of Environmental Services shall cause the following improvements and work to be provided on streets, sidewalks and lots in the City of Rochester during the fiscal year July 1, 2015 to June 30, 2016:

- A. The removal of snow from such sidewalks and the repair of such hazardous sidewalks as the Commissioner may direct.
- B. The removal of snow and ice from the roadway of such streets as the Commissioner may direct, including the use of sodium chloride, calcium chloride, and other chemicals or abrasives for the treatment of slippery or icy pavement as deemed necessary by the Commissioner.
- C. The cleaning and/or flushing of such streets as the Commissioner may direct, including hand-cleaning, tank flushing, mechanical sweeping, and the collection and removal of brush, leaves, and debris.

Section 3. Such work shall be done by competitive contract, or by the Department of Environmental Services, as the Commissioner of Environmental Services deems appropriate.

Section 4. The cost of providing such street cleaning and street snow removal services for the 2015-16 fiscal year shall be assessed against all parcels of property that abut a street, reflecting the benefit to be derived by such parcels from such services. The cost of providing such sidewalk repair and snow removal services for the 2015-16 fiscal year shall be assessed against all parcels of property that abut a sidewalk, reflecting the benefit to be derived by such parcels from such services.

Section 5. The amount assessed shall be allocated among all benefitted parcels in direct proportion to each parcel's street or sidewalk footage, defined for purposes of this ordinance as the full footage of the parcel along the street or sidewalk upon which it fronts, plus one-third of the

June 16, 2015

footage along any other abutting streets or sidewalks. The Council hereby determines that such street or sidewalk footage represents the relative amount of benefit received by each such parcel.

Section 6. The total cost of such services to be assessed on July 1, 2015 shall be \$19,712,000 consisting of \$5,392,109 for street and lot maintenance, \$980,221 for sidewalk repair, \$10,380,805 for roadway snow removal and \$2,958,865 for sidewalk snow removal services. Such total amount constitutes an estimate of the amount necessary to pay contractors to provide services and to cover the costs of providing services with City crews between July 1, 2015 and June 30, 2016, less any miscellaneous revenues estimated to be collected during the same period, plus a reasonable reserve for uncollected assessments. All assessments collected shall be paid into the Local Works Fund, and all costs incurred shall be paid from such fund. The amounts assessed herein are appropriated for that purpose.

Section 7. The amount assessed on July 1, 2015 shall be billed on the tax bill and shall be due in one installment. Delinquent assessments collected more than 60 days into a fiscal year subsequent to the fiscal year billed shall be credited as revenue in the year collected and applied against costs in that fiscal year.

Section 8. This ordinance shall take effect on July 1, 2015.

Passed unanimously.

Ordinance No. 2015-162
(Int. No. 243)

Confirming the assessments, amounts and charges to be inserted in the annual tax rolls for the fiscal year commencing July 1, 2015 and expiring June 30, 2016

BE IT ORDAINED, by the Council of The City of Rochester as follows:

Section 1. The following assessments, amounts and charges, and the allocation of said amounts against properties in the City, as set forth in roll or rolls on file in the City Clerk's Office, to be inserted into the annual tax rolls for the fiscal year commencing July 1, 2015 and expiring June 30, 2016 are hereby in all respects confirmed:

Street and Lot Maintenance	\$ 5,392,109.12
Roadway Snow Removal	10,380,805.46
Sidewalk Snow Removal	2,958,864.50
Hazardous Sidewalk Repair	980,220.92
Delinquent Refuse	570,001.94
Delinquent Water Charges	5,933,254.99
Supplemental Taxes	177,960.32
Omitted Taxes	100.26
Street Malls	25,325.00
Arnold Park Monuments	5,118.27
Parking Lots	59,035.00
Code Enforcements	105,465.00
Code Violations	2,269,160.00
Downtown Enhancement	604,100.00
Public Market Plowing	5,888.07
Public Market Security	39,761.18
Encroachment Fees	3,725.00
Rehabilitation Charges	241,379.76

June 16, 2015

Lyell Avenue Street Lights - District I	1,845.38
Lyell Avenue Street Lights - District II	1,952.93
Wilson Blvd. Street Lights	477.81
Monroe Avenue Lights I	1,251.11
Monroe Avenue Lights and Sidewalk II	545.34
Norton Street Lights	1,231.84
Norton Street Streetscape	2,815.00
Cascade Lights	1,505.51
Cascade Streetscape	8,000.00
Lake Avenue Lights	3,564.93
High Falls Business Improvement District	25,000.00
St. Paul Street Streetscape	20,649.38
St. Paul Street Lighting	454.39
Rundel Park Lighting	3,168.68
Upper East Alexander Refuse	20,400.00
East Main Street Lights	316.79
Mt. Hope Streetscape	30,000.00
Demolition	393,873.04
Local Improvements	1,413.38

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2015-163

(Int. No. 244)

Amending the Municipal Code with respect to refuse fees

BE IT ORDAINED, by the Council of The City of Rochester as follows:

Section 1. Section 20-24 of the Municipal Code, Residential and commercial user refuse fees, as amended is hereby further amended by amending subsection A(1) - (3) thereof to read in its entirety as follows:

(1) Fees:

Number of
Dwelling Units Annual Fee

1	\$380.00
2	764.00
3	847.00

(2) Any residence requiring service and not billed for service on the tax bill will be billed on a pro-rata residential rate per quarter.

(3) Residences/home occupations. The fees for residences which also contain home occupations, for example, beauty parlors, garages, doctor's/dentist's offices, are:

Number of
Dwelling Units Annual Fee

June 16, 2015

1	\$764.00
2	847.00

A property with three (3) dwelling units and a home occupation will be charged according to the commercial rate schedule.

Section 2. This ordinance shall take effect on July 1, 2015.

Passed unanimously.

Ordinance No. 2015-164
(Int. No. 245)

Amending the Municipal Code with respect to water rates

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. Section 23-37 of the Municipal Code, relating to fees for water, as amended, is hereby further amended by amending subsections A and C thereof to read in their entirety as follows:

A. Consumption rates.

(1) Consumption Charge; schedule of rates.

<u>Gallons Consumed per Month</u>	<u>Charge per 1,000 Gallons</u>
0 to 300,000	\$3.44
300,001 to 1,000,000	\$3.09
1,000,001 to 13,000,000	\$2.41
Over 13,000,000	\$1.37

(2) Base Charge.

<u>Size of Meter (inches)</u>	<u>Charge per Month</u>
5/8"	\$7.32
3/4"	\$10.98
1"	\$37.62
1 1/2"	\$55.72
2"	\$74.53
3"	\$186.25
4"	\$372.15
6"	\$557.90
8"	\$825.45
10"	\$1,082.93

C. Fire-service charges.

(1) Domestic fire-service charge.

<u>Size of First Check Valve (inches)</u>	<u>Charge per Quarter</u>
Up to 2"	\$40.00
4"	\$79.00
6"	\$156.00

June 16, 2015

8"	\$310.00
10"	\$458.00
12"	\$659.00

- (2) Holly high-pressure fire-service charge.

<u>Size of First Check Valve (inches)</u>	<u>Charge per Quarter</u>
Up to 2"	\$109.00
4"	\$219.00
6"	\$292.00
8"	\$582.00
10"	\$859.00

- (3) Holly high-pressure consumption charge: \$10.52 per 1,000 gallons.

Section 2. This ordinance shall take effect on July 1, 2015.

Passed unanimously.

Ordinance No. 2015-165
(Int. No. 246)

Amending the Municipal Code with respect to parking rates

BE IT ORDAINED, by the Council of The City of Rochester as follows:

Section 1. Section 111-119 of the Municipal Code, Fees for use of space in parking garages and hours of operation, as amended, is hereby further amended by amending subsection A(1) and to read in its entirety as follows:

- (1) Short-term rates, which shall apply from 6:00 a.m. or 6:30 a.m. to garage closing, depending upon the garage schedule: \$2 for the first two hours, and \$2 for each hour thereafter, or any part thereof, up to the daily maximum. There shall be a student rate of \$1.00 per hour in the East End Garage, up to the daily maximum.

Section 2. Section 111-119 of the Municipal Code, Fees for use of space in parking garages and hours of operation, as amended, is hereby further amended by amending subsections A(6)(a)-(h) to read in their entirety as follows:

- (a) Court Street Garage: \$88 for parking in the general area, \$54 for parking in the rooftop area, \$104 for parking in the premium area, and \$135 for parking in the reserved area.
- (b) Genesee Crossroads Garage: \$88.
- (c) High Falls Garage: \$71 for parking in the general area and \$114 for parking in the reserved area.
- (d) South Avenue Garage and Midtown Garage: \$88.
- (e) Sister Cities Garage: \$88 for parking in the general area and \$104 for parking in the premium area.

June 16, 2015

- (f) Mortimer Street Garage: \$54 for parking in the garage and in the surface lot.
- (g) Washington Square Garage: \$88 for parking in the general area of the garage, \$104 for parking in the reserved area of the garage, and \$26 for parking in the Wadsworth Square Lot.
- (h) East End Garage: \$73 for general parking, \$48 for residential parking, and \$42.25 for student parking.

Section 3. This ordinance shall take effect on July 1, 2015.

Passed unanimously.

Ordinance No. 2015-166
(Int. No. 247, as amended)

Amending the Municipal Code with respect to permit fees

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. Section 104-18 of the Municipal Code, relating to tests on street restoration, as amended, is hereby further amended to read in its entirety as follows:

The City has the right to order a test on any street restoration in order to determine if the work has been completed in accordance with City specifications. If the test shows the street restoration to be acceptable, the testing costs will be borne by the City. If the first test shows the street restoration to be unacceptable, the permit holder must pay the amount of \$640, and for additional tests the amount of \$850, in addition to making the proper restoration. No further permits will be issued to said permit holder until the invoice for the testing and penalty have been paid.

Section 2. Section 104-57 of the Municipal Code, relating to fees for streets and street encroachments, as amended, is hereby further amended by amending subsections A through I thereof to read in their entirety as follows:

- A. Applications for permits required by this chapter for the following activities or objects shall be made in writing to the City Engineer, shall contain such information as the City Engineer may require and shall be accompanied by the following fees. Where a permit from the City Engineer is required and no other fee is specified herein, the fee shall be \$70.

Activity or Object	Code Section	Fee	Length of Permit
Anode protection work	104-13	\$10 per location outside pavement	
Street construction	104-15	\$15 per linear foot	
Sidewalk construction or repair	104-15	\$35 for each street along which sidewalk runs	
New residential driveways (defined as any driveway accommodating 3 cars or fewer on a parcel used for residential purposes only)	104-25	\$130	

June 16, 2015

New commercial driveways (any driveway not included as a residential driveway as defined above)	104-25	\$450	
Enlargement of existing driveways (per linear foot)	104-25	\$35	
Extended maintenance fee, reconstructed street excavation	104-20		
50 square feet or less		\$660	
51 to 100 square feet		\$1,910	
101 to 150 square feet		\$3,820	
Over 150 square feet		\$6,360	
Trenches less than 50 feet in length		Based on square feet as above	
Trenches greater than 50 feet in length		\$1,870, plus \$11.00 per linear foot	
Extended maintenance fee, resurfaced street excavation	104-20		
50 square feet or less		\$330	
51 to 100 square feet		\$1,020	
101 to 150 square feet		\$1,800	
Over 150 square feet		\$3,600	
Trenches less than 50 feet in length		Based on square feet as above	
Trenches greater than 50 feet in length		\$1,010, plus \$8.80 per linear foot	
Street reconstruction cost sharing	104-27		
Heavy-duty pavement		\$10 per square foot	
Medium-duty pavement		\$10 <u>8</u> per square foot	
Light-duty pavement		\$10 <u>6</u> per square foot	
Fixed projection (architectural character)	104-33	\$230	
Entrance details	104-33	\$70	
Architectural details	104-33	\$70	
Balconies and fire escapes	104-33	\$340	
Marquees	104-33	\$70	
Awnings	104-33	\$70	5 years
Flagpoles	104-33	\$70	
Light fixtures	104-33	\$70	
Signs	104-33	\$70	
Storm enclosures	104-33	\$70	6 months
Sidewalk cafes (initial fee for three tables, four chairs per table)	104-33	\$120	8 months
Sidewalk cafes (more than three tables)	104-33	\$40 per additional table with four chairs	8 months
Moving a building	104-23	\$230 per move	
Street obstruction	104-24	\$50	1 day
		\$360	1 month
Phone booth installation	104-24	\$160	Annual
Resurfacing existing driveway	104-13	\$50 per driveway	
		\$260	Annual
Utility pole installation	104-13	\$180	

June 16, 2015

Interference with survey monument	104-22	\$400 per occurrence	
Excavations	104-13		
50 square feet or less		\$125	
51 to 100 square feet		\$270	
101 to 150 square feet		\$510	
Over 150 square feet		\$1,050	
Trenches less than 50 feet in length		Based on square feet as above	
Trenches greater than 50 feet in length		\$340, plus \$1.10 per linear foot	1 week
		\$200 inspection fee	
Banners	104-33	\$50	1 month
Bridges	104-33	\$230 initially;	1 year
		\$35 thereafter	1 year
Footings	104-34	\$70	
Foundation walls	104-34	\$70	
Vaults and areaways	104-34		
100 square feet or less		\$110 initially;	1 year
		\$35 thereafter	1 year
101 to 500 square feet		\$230 initially;	1 year
		\$60 thereafter	1 year
Over 500 square feet		\$340 initially;	1 year
		\$85 thereafter	1 year
Tunnels	104-34	\$230 initially;	1 year
		\$120 thereafter	1 year

- B. Utility companies and other companies performing work in the City may pay an annual maintenance fee of \$1,430 per company which shall include the fees for all work other than work requiring excavation in the City rights-of-way. The fee for a one-time use permit for an oversized or overweight vehicle as required by § 111-78 of the Municipal Code shall be \$230. An annual permit for one oversized or overweight vehicle shall be \$680, while an annual permit for four or more vehicles shall be \$2,700.
- C. There shall be an additional fee for performing work for which a permit is required and for which no permit has been obtained or for which a permit was obtained but the work has been stopped by the City Engineer. The additional fee shall be equal to the applicable permit fee. The applicable permit fee shall also be paid.
- D. The City Engineer shall have the power to waive the permit fee for that work done by a contractor performing or accommodating a City project or a project of another government agency.
- E. Where multiple openings are made, the permit fee shall be the lesser of the fee based upon the total square footage of the multiple openings or the sum of the fees for the individual openings.
- F. The fee for a building wall permit authorized by § 5-35 of the City Charter and §104-30 of the Code of the City of Rochester shall be \$450.
- G. The annual fee for vaults and areaways, bridges and tunnels shall be a lien upon the adjoining parcel or parcels of real property which they benefit. At the option of the

June 16, 2015

Director of Finance, such fees may be added to the annual real property tax bill for such parcels.

- H. Fees for excavation in the right-of-way. No fee shall be required for excavation in the right-of-way, provided that the work does not disturb the street or public sidewalk and is for the renewal of residential water service only.
- I. If work is not completed within the time established in a permit and a reinspection is required, a fee of \$80 per visit shall be required in addition to any other permit fees.

Section 3. This ordinance shall take effect on July 1, 2015.

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Passed unanimously.

Councilmember Conklin moved to discharge Int. No. 238 from committee.

The motion was seconded by Councilmember Palumbo

Adopted unanimously.

Ordinance No. 2015-167
(Int. No. 238, as amended)

Adoption of Budget estimates for municipal purposes for the 2015-16 fiscal year, appropriation of sums set forth therein, and approving commercial refuse fees

BE IT ORDAINED, by the Council of The City of Rochester as follows:

Section 1. The budget estimate for municipal purposes for the fiscal year July 1, 2015 to June 30, 2016, providing for the expenditure of \$501,602,300, is in all respects adopted, confirmed, fixed, and determined.

Section 2. The sums of money designated in the budget estimate for municipal purposes for the fiscal year 2015-16 are hereby authorized to be expended and the sum of \$501,602,300 is hereby appropriated for the current expenses of the departments and agencies; cash capital; debt service; and for the other purposes therein, in the manner provided by law, as listed below:

City Council and Clerk	\$1,881,300	
Administration	8,761,200	
Neighborhood and Business Development	13,855,000	<u>13,848,200</u>
Environmental Services	83,704,200	
Finance	12,573,600	
Information Technology	7,798,800	
Law	1,937,100	
Library	11,316,600	
Recreation and Youth Services	11,273,800	<u>11,324,300</u>
Emergency Communications	13,709,600	
Police	90,921,100	
Fire	48,706,500	

June 16, 2015

Undistributed Expenses	135,556,000
Contingency	1,750,000 <u>1,706,300</u>
Cash Capital	21,226,000
Debt Service	36,631,500
Sub-total	\$501,602,300
Tax Reserve	2,642,470
Total	\$504,244,770

Section 3. The budget estimate of the current revenues and other receipts, other than real estate taxes and the School Tax Relief (STAR) funds, for municipal purposes for the fiscal year 2015-16 is hereby fixed and determined at \$451,395,370 and said sum is appropriated for the purposes set forth in the budget estimate.

Section 4. The budget estimate for the fiscal year 2015-16 providing for the raising of taxation on real estate for municipal purposes of the sum of \$52,849,400 is hereby adopted.

Section 5. Pursuant to subsection 20-24B(1) of the Municipal Code, the Council hereby approves the fees for collection of commercial refuse and recyclables as proposed by the Mayor for fiscal year 2015-16.

Section 6. This ordinance shall take effect on July 1, 2015.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

Councilmember Conklin moved to discharge Int. No. 239 from committee.

The motion was seconded by Councilmember Spaull.

Adopted unanimously.

Ordinance No. 2015-168
(Int. No. 239)

Adoption of the budget estimates for school purposes for the fiscal year commencing July 1, 2015 and expiring June 30, 2016, and appropriation of sums set forth therein

BE IT ORDAINED, by the Council of The City of Rochester as follows:

Section 1. The budget estimate for school purposes for the fiscal year July 1, 2015 to June 30, 2016, providing for the expenditure of \$801,818,597, is in all respects adopted, confirmed, fixed, and determined.

Section 2. The sums of money designated in the budget estimate for school purposes for the fiscal year 2014-15 are hereby authorized to be expended and the sum of \$801,818,597 is hereby appropriated to the Board of Education for the following purposes:

Operations	\$738,181,700
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June 16, 2015

Cash Capital	11,100,700
Debt Service	<u>52,536,197</u>
Subtotal	801,818,597
Tax Reserve	<u>5,955,000</u>
Total	\$807,773,597

Section 3. The budget estimate of the current revenues and other receipts, other than real estate taxes, for school purposes for the fiscal year 2015-16 is hereby fixed and determined at \$688,673,597 and said sum is appropriated for the purposes set forth in the budget estimate.

Section 4. The budget estimate for the fiscal year 2015-16 providing for the raising of taxation on real estate for school purposes of the sum of \$119,100,000 is hereby adopted.

Section 5. This ordinance shall take effect on July 1, 2015.

Passed unanimously.

Councilmember Conklin moved to discharge Int. No. 240 from committee.

The motion was seconded by Councilmember Palumbo.

Adopted unanimously.

Ordinance No. 2015-169
(Int. No. 240)

Levying taxes for municipal purposes for the fiscal year commencing July 1, 2015 and expiring June 30, 2016

BE IT ORDAINED, by the Council of The City of Rochester as follows:

Section 1. The sum of \$52,849,400, which sum is deemed by the Council sufficient with other revenues to produce from collection during the fiscal year commencing July 1, 2015 and expiring June 30, 2016 the amount required to meet the budget estimates for municipal purposes, is hereby levied on all taxable real property in the City of Rochester, as set forth in the assessment rolls, for the fiscal year commencing July 1, 2015 and expiring June 30, 2016.

Section 2. The Director of Finance shall cause the taxes levied above to be inserted in the assessment rolls for the fiscal year commencing July 1, 2015 and expiring June 30, 2016.

Section 3. This ordinance shall take effect on July 1, 2015.

Passed unanimously.

Councilmember Conklin moved to discharge Int. No. 241 from committee.

The motion was seconded by Councilmember Spaul.

Adopted unanimously.

June 16, 2015

Ordinance No. 2015-170
(Int. No. 241)

**Levying taxes for school purposes for the fiscal year commencing July 1, 2015 and
expiring June 30, 2016**

BE IT ORDAINED, by the Council of The City of Rochester as follows:

Section 1. The sum of \$119,100,000, which sum is deemed by the Council sufficient with other revenues to produce from collection during the fiscal year commencing July 1, 2015 and expiring June 30, 2016 the amount required to meet the budget estimates for school purposes, is hereby levied on all taxable real property in the City of Rochester, as set forth in the assessment rolls, for the fiscal year commencing July 1, 2015 and expiring June 30, 2016.

Section 2. The Director of Finance shall cause the taxes levied above to be inserted in the assessment rolls for the fiscal year commencing July 1, 2015 and expiring June 30, 2016.

Section 3. This ordinance shall take effect on July 1, 2015.

Passed unanimously.

By Councilmember Palumbo
June 16, 2015

To the Council:

The Neighborhood & Business Development Committee recommends for Adoption the following entitled legislation:

Int. No. 188	Authorizing the sale of real estate
Int. No. 189	Authorizing sale of real estate and an agreement with the Greater Rochester Housing Partnership for the Neighborhood Builders - Strategic Homeownership Infill Development Project
Int. No. 190	Authorizing a lease agreement with Foodlink, Inc.
Int. No. 191	Authorizing an agreement with High Tech Rochester Inc. for business assistance services
Int. No. 192	Authorizing an agreement with the Greater Rochester Enterprise for business development services
Int. No. 194	Appropriating funds and authorizing agreements for the Healthy Homes Program
Int. No. 195	Authorizing an application and agreement for the lead hazard control program
Int. No. 196	Ordinance accepting the City of Rochester Draft Local Waterfront Revitalization Program Update

June 16, 2015

- Int. No. 197 Authorizing Consolidated Funding Grant applications and agreements
- Int. No. 199 Authorizing agreements and appropriating funds for the Housing Opportunities For Persons With AIDS Program
- Int. No. 200 Authorizing agreements for the Emergency Solutions Grant
- Int. No. 201 Authorizing an agreement with Lifespan and appropriating funds for the Aging in Place Home Modification Program

The Neighborhood & Business Development Committee recommends for Consideration the following entitled legislation:

- Int. No. 202 Authorizing agreements and appropriating funds for the Buyer Assistance Program
- Int. No. 203 Authorizing agreements and appropriating funds for the Homebuyer Training Program
- Int. No. 205 Changing the zoning classification of 818 Hudson Avenue and 28, 32, 36, 42, and 46 Herald Street from R-1 low Density Residential District to M-1 Industrial District and changing the zoning classification of 854 Hudson Avenue from C-1 Neighborhood Center District to M-1 Industrial District

The following entitled legislation is being held in committee:

- Int. No. 193 Authorizing an agreement with the Rochester Housing Development Fund Corporation for homebuyer assistance
- Int. No. 198 Appropriating funds and authorizing agreements for the HOME Rochester Program as amended
- Int. No. 204 Changing the zoning classification of 4 Edgewood Park from R-2 Medium Density Residential District to C-2 Community Center District

Respectfully submitted,
Carla M. Palumbo
Carolee A. Conklin
Dana K. Miller
Loretta C. Scott
NEIGHBORHOOD & BUSINESS DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-171
Re: Sale of Real Estate

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

June 16, 2015

Transmitted herewith for your approval is legislation approving the sale of four properties. City records have been checked to ensure that purchasers (except those buying unbuildable vacant lots) do not own other properties with code violations or delinquent taxes, and have not been in contempt of court or fined as a result of an appearance ticket during the past five years.

The first property is a vacant lot sold by request for proposal to the Friends of the Garden Aerial, Inc. They will utilize the site for their green visions work development and horticulture training program.

The next three properties are unbuildable vacant lots, being sold for \$1.00 (as per City policy) to the adjacent owners who will combine the lots with their existing properties.

The first year projected tax revenue for these four properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$2,049.

All City taxes and other charges, except water charges, against properties being sold by the City will be canceled on the first day of the month following adoption of the ordinance because either the City has agreed to convey the properties free of City tax liens and other charges, or these charges have been included in the purchase price.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-100

Ordinance No. 2015-171
(Int. No. 188)

Authorizing the sale of real estate

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby approves the negotiated sale of the following parcel of vacant land with proposal:

<u>Address</u>	<u>S.B.L.#</u>	<u>Lot Size</u>	<u>Sq. Ft.</u>	<u>Price</u>	<u>Purchaser</u>
797 Smith St	105.82-2-5	106x165	19,420	\$1,500	Friends of the Garden Aerial, Inc.*

* Board of Directors: Michael Phillipson, Co-Founder; Lewis Stess, Co-Founder; Lisa Roy Baron, Chair; Jame Milliman, Vice Chair; Patrick Pullano, Secretary; Members: Howard Decker, Thomas Johnston, Gerald Kral, Matt Ruffing, Ram Shrivastava, Barry Strauber, Thomas Warfield

Section 2. The Council hereby approves the negotiated sale of the following parcels of unbuildable vacant land for the sum of \$1.00:

<u>Address</u>	<u>S.B.L.#</u>	<u>Lot Size</u>	<u>Sq. Ft.</u>	<u>Purchaser</u>
14 Chapel St	107.77-1-22.3	38x82	2,600	Kevin G. Small

June 16, 2015

787 North St	106.41-4-25	30x100	3,000	Corean Finn
337-339 Orchard St	105.74-3-4	32x114	3,705	Jerry Stanley

Section 3. City taxes and other City charges, except water charges, against said properties are hereby canceled up to the first day of the month following the date of adoption of this ordinance for the reason that the City has agreed to convey said properties free of City tax liens and other charges or because these charges have been included in the purchase price.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2015-172
Re: Sale of Property and Agreement -
Greater Rochester Housing
Partnership, Neighborhood Builders
Project

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to Neighborhood Builders, a strategic home ownership in-fill development project being undertaken by the Greater Rochester Housing Partnership (GRHP). This legislation will:

- 1) Authorize the sale of 88 Cheltenham Road and 26 Strohm Street to GRHP for \$500 and \$425, respectively; and
- 2) Establish \$180,000 as maximum compensation for an agreement with GRHP for the project. The cost of the agreement will be funded from 2015-16 Cash Capital, contingent upon approval of the 2015-16 Budget, and the term will be for one year, with an option to extend for an additional year if funds remain in the original appropriation.

Neighborhood Builders is a comprehensive community development effort to stabilize neighborhoods, create home ownership opportunities, and increase the tax base by building affordable, single-family, for-sale homes on vacant lots in selected neighborhoods. GRHP has been awarded funding from the New York State Affordable Housing Corporation (AHC) for the project, and the Rochester Land Bank Corporation has also been awarded funding through the New York State Office of the Attorney General (OAG) to support the project.

Neighborhood Builders entails the development of 10 houses overall; the first four houses were built and sold to new homeowners on Straub Street in the Dewey Driving Park Focused Investment Strategy (FIS) area per Ordinance No. 2014-170. The funds authorized herein will enable GRHP to build six new in-fill homes in the City of Rochester. In addition to 88 Cheltenham Road and 26 Strohm Street, the other four houses are expected to be built on Reliance Street, next to School No. 50, and on Straub Street, in the Dewey Driving Park FIS area. The sources and uses of funds for the six houses are as follows:

June 16, 2015

<u>Sources</u>		<u>Uses</u>	
OAG	\$ 300,000	Acquisition (approximate)*	\$ 9,544
AHC Subsidy	175,000	Construction	960,192
City Subsidy	180,000	Soft Costs**	118,164
Homebuyer Mortgages	<u>486,900</u>	Developer Fee	<u>54,000</u>
TOTAL	\$1,141,900	TOTAL	\$1,141,900

*Includes: Legal for title, closing, recording on acquisition of the lots.

**Includes: Insurance, survey and title, architectural, legal, property management, utilities, taxes, financing, realtor, and administrative expenses.

GRHP has committed to workforce hiring goals of 20% minority persons and 6.9% women. Construction is anticipated to start in the summer of 2015 and be complete by the fall of 2016.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-172
(Int. No. 189)

Authorizing sale of real estate and an agreement with the Greater Rochester Housing Partnership for the Neighborhood Builders - Strategic Homeownership Infill Development Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with the Greater Rochester Housing Partnership in an amount not to exceed \$180,000 for the Neighborhood Builders - Strategic Homeownership Infill Development Project. The cost of the agreement shall be funded from the 2015-16 Cash Capital allocation, contingent upon adoption. The agreement shall be for one year, with an option to extend for an additional year if funds remain in the original appropriation.

Section 2. The Council hereby approves the negotiated sale of the following parcels to the Greater Rochester Housing Partnership for the Neighborhood Builders- Strategic Homeownership Infill Development Project:

88 Cheltenham Street SBL # 075.28-3-43; Price: \$500
26 Strohm Street SBL # 047.77-1-24; Price: \$425

Section 3. City taxes and other City charges, except water charges, against said properties are hereby canceled up to the first day of the month following the date of adoption of this ordinance for the reason that the City has agreed to convey said properties free of City tax liens and other charges or because these charges have been included in the purchase price.

Section 4. The agreement shall contain such other terms and conditions as the Mayor deems appropriate

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

June 16, 2015

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-173
Re: Lease Agreement - 615, 617-619
and 631 Lexington Avenue

Council Priority: Creating and
Sustaining a Culture of Vibrancy

Transmitted herewith for your approval is legislation authorizing a three year lease agreement, between the City and Foodlink, Inc. for the continued use of the premises located at 615, 617-619 and 631 Lexington Avenue as the location for the organization's urban farm. Foodlink, Inc. has leased the premises annually from the City for five years. The longer term lease agreement will enable expanded programming at the Lexington Avenue Urban Farm and increase their mission of providing families in the surrounding neighborhood the opportunity to grow their own food.

The new lease will commence as of July 1, 2015 and expire on June 30, 2018. The yearly amount will be \$600 and was established through an independent appraisal prepared by Kevin L. Bruckner, MAI as of January 24, 2015. The previous yearly rental amount was \$540.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-101

Ordinance No. 2015-173
(Int. No. 190)

Authorizing a lease agreement with Foodlink, Inc.

WHEREAS, the City of Rochester has received a proposal for the continued lease of the premises at 615, 617-619 and 631 Lexington Avenue; and

WHEREAS, pursuant to Section 21-23 of the Municipal Code, the Council is required to follow additional procedures due to the length of the proposed lease; and

WHEREAS, the terms of the lease are reasonable and necessary in light of their intended purpose and the public will benefit throughout the term of the leases.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby approves a lease agreement, between the City and Foodlink, Inc. for the continued use of the premises located at 615, 617-619 and 631 Lexington Avenue for the annual rent of \$600. The lease term shall commence July 1, 2015 and end on June 30, 2018

Section 2. The lease agreement shall contain such additional terms and conditions as the Mayor or her designee deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

June 16, 2015

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2015-174
Re: Agreement - High Tech
Rochester, Economic Development Services

Council Priority: Jobs and Economic
Development

Transmitted herewith for your approval is legislation establishing \$20,000 as maximum compensation for an agreement with High Tech Rochester (HTR) to provide services related to assisting businesses within the City of Rochester. The agreement will be financed from the 2015-16 Budget of the Department of Neighborhood and Business Development, contingent upon approval of said budget, and have a term of 12 months, from July 1, 2015 to June 30, 2016.

In the past, the City has had a \$10,000 agreement with HTR to assist city businesses. The amount has been increased due to their proven commitment and effective strategies in assisting city organizations. HTR anticipates moving downtown to the Sibley building in late 2016. This relocation will have a positive impact upon city entrepreneurs and businesses due to HTR's closer proximity.

HTR is a non-profit organization whose mission is to be a catalyst for entrepreneurship and innovation-based economic development. This is accomplished by applying business expertise and network connections to assist in the formation and growth of business in the Greater Rochester and Finger Lakes Region. HTR provides assistance through technology commercialization for early stage organizations, business incubation for high growth potential startups, and access to venture capital for high technology. Also, they provide services to existing manufacturing companies.

Terms of the agreement will include the following expectations, among others:

- Work with Rochester businesses with the anticipated results of retaining and/or creating 35 positions and producing a minimum \$2 million investment;
- Host one educational workshop held within the city where City of Rochester programs and services may be presented; and
- Serve 20 manufacturing companies within the city.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-174
(Int. No. 191)

Authorizing an agreement with High Tech Rochester Inc. for business assistance services

BE IT ORDAINED, by the Council of the City of Rochester as follows:

June 16, 2015

Section 1. The sum of \$20,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and High Tech Rochester Inc. for business assistance services for City businesses from July 1, 2015 through June 30, 2016. Said amount shall be funded from the 2015-16 Budget of the Department of Neighborhood and Business Development contingent upon adoption.

Section 2. The agreement shall contain such other terms and conditions as the Mayor deems appropriate

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Conklin, McFadden, Miller, Ortiz, Palumbo, Patterson, Spaul - 8.

Nays - None - 0.

Councilmember Haag abstained because of a professional relationship.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2015-175

Re: Agreement - Greater Rochester
Enterprise, Economic Development
Services

Council Priority: Jobs and Economic
Development

Transmitted herewith for your approval is legislation establishing \$40,000 as maximum compensation for an agreement with Greater Rochester Enterprise (GRE) to provide services related to attracting businesses to the City of Rochester. The agreement will be financed from the Fund for the City's Future, and will have a term of twelve months, beginning on July 1, 2015, and expiring on June 30, 2016.

The amount of the agreement has been decreased by \$10,000 from prior years. The purpose of this decrease is to increase available funding for other organizations also assisting in the economic growth of our city.

During the current 2014-15 fiscal year, GRE has worked with 22 organizations who considered locating to the City of Rochester. Efforts continue to attract businesses to the Eastman Business Park and to other sites found within our community. GRE assisted with the relocation and retention of Brand Integrity within the City of Rochester. The project results included the retention of six positions, while potentially adding up to 38 new positions within the next three to five years.

GRE collaborates with government leaders, businesses, universities, and not-for-profit organizations through a team approach to economic development in the city and the Greater Rochester and Finger Lakes Region. GRE acts as an ambassador to promote the city, and to connect businesses to municipal resources.

June 16, 2015

Terms of the agreement are similar to last year's agreement and will include the following expectations, among others:

- Work with the Rochester region's economic development partners to attract businesses located outside the region to the City of Rochester.
- Deliver at least 15 out-of-region business attraction opportunities that can include sites located within the City of Rochester.
- Include and reference the City of Rochester prominently in all marketing content it develops to promote the Greater Rochester and Finger Lakes region, including but not limited to www.RochesterBiz.com, quarterly newsletters, presentations delivered to local business groups, and capstone presentations delivered to out-of-region companies.

The most recent annual agreement was authorized by City Council in June; 2014 via Ordinance No. 2014-174.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-175
(Int. No. 192)

Authorizing an agreement with the Greater Rochester Enterprise for business development services

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The sum of \$40,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and the Greater Rochester Enterprise for business development services for City businesses from July 1, 2015 through June 30, 2016. Said amount shall be funded from the Fund for the City's Future.

Section 2. The agreement shall contain such other terms and conditions as the Mayor deems appropriate

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-176
Re: Healthy Homes Program

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to the proposed Healthy Homes Program. This legislation will:

1. Appropriate \$77,000 from the Housing Repair Programs allocation of the Improving the Housing Stock and General Property Conditions Fund of the 2000-01 Community Development Block Grant to fund the Lead Hazard Control Program.
2. Appropriate \$28,539.83 from the Housing Repair Programs allocation of the Housing Development Fund of the 2002-03 Community Development Block Grant to fund the Lead Hazard Control Program.
3. Appropriate \$7,824.09 from the Housing Repair Programs allocation of the Housing Development Fund of the 2003-04 Community Development Block Grant to fund the Lead Hazard Control Program.
4. Appropriate \$26,526.37 from the Housing Repair Programs allocation of the Housing Development Fund of the 2004-05 Community Development Block Grant to fund the Lead Hazard Control Program.
5. Appropriate \$4,495.87 from the Housing Repair Programs allocation of the Housing Development Fund of the 2005-06 Community Development Block Grant to fund the Lead Hazard Control Program.
6. Appropriate \$123,060.67 from the Housing Repair Programs allocation of the Housing Development Fund of the 2006-07 Community Development Block Grant to fund the Lead Hazard Control Program.
7. Appropriate \$49,958.76 from the Housing Repair Programs allocation of the Housing Development Fund of the 2007-08 Community Development Block Grant to fund the Lead Hazard Control Program.
8. Appropriate \$3,117.97 from the Housing Repair Programs allocation of the Housing Development Fund of the 2008-09 Community Development Block Grant to fund the Lead Hazard Control Program.
9. Appropriate \$144.75 from the Housing Repair Programs allocation of the Housing Development Fund of the 2009-10 Community Development Block Grant to fund the Lead Hazard Control Program.
10. Appropriate \$3.10 from the Housing Repair Programs allocation of the Housing Development Fund of the 2010-11 Community Development Block Grant to fund the Lead Hazard Control Program.
11. Appropriate \$153,497.53 from the Housing Repair Programs allocation of the Housing Development Fund of the 2011-12 Community Development Block Grant to fund the Lead Hazard Control Program.
12. Appropriate \$.03 from the Housing Repair Programs allocation of the Housing Development Fund of the 2012-13 Community Development Block Grant to fund the Lead Hazard Control Program.
13. Appropriate \$1,245.47 from the Housing Repair Programs allocation of the Housing Development Fund of the 2013-14 Community Development Block Grant to fund the Lead Hazard Control Program.

14. Appropriate \$17,914 from the Housing Repair Programs allocation of the Housing Development Fund of the 2014-15 Community Development Block Grant to fund the Lead Hazard Control Program.
15. Authorize \$452,708.44 for the City's use to operate the program to be funded from the above appropriations.
16. Establish \$15,000 as maximum compensation for an agreement with Northwest Community Services Community Development Corporation to provide customer services for the program. The agreement will be funded from the above appropriations.
17. Establish \$25,620 as maximum compensation for an agreement with Environmental Testing & Consulting to provide lead-based paint evaluations for the program. The cost of the agreement will be financed from the appropriations above.

The Healthy Homes Program is a new initiative created to assist eligible owner-occupants and landlords in a targeted neighborhood in the 14621 area, as bounded by Norton Street in the north, Clifford Avenue in the south, St. Paul Street in the east, and Hudson Avenue in the west. Eligible repairs primarily include lead hazard control and other minor repairs that correct other identified environmental health hazards. A lead-based paint risk assessment will be completed for each property. All hazards identified in the report must be corrected. Typical work activities will include window and door replacement, siding, porch repair and replacement, and painting. Each property will also receive a Healthy Homes Assessment utilizing US Housing and Urban Development (HUD) Healthy Homes Rating System which assesses 29 environmental health hazards. Healthy Homes repair work will include, but not be limited to: mold and moisture remediation, pest control, insulation, duct cleaning, electrical repairs, correction of trip hazards, installation of carbon monoxide detectors and smoke alarms, furnace maintenance and replacement, hot water tanks, and safety controls to prevent break-ins.

The reason why this program is being proposed is based on the following:

- Rochester was not funded by HUD for the last round of funding for lead hazard control and community demand remains high for assistance.
- The Monroe County Department of Health has reported that the highest incidence of child lead poisoning is within the 14621 neighborhood where 75 to 108 cases have been reported (map attached). A lead-poisoned child is one with an elevated blood lead level of 5 mcg/dl or greater.
- City records indicate that the highest rate of interior lead-based paint hazards have been cited in the target area within the 14621 neighborhood (map attached).

Environmental Testing & Consulting (ETC) will provide lead-based paint evaluation services (risk assessments) for the program. ETC has been providing these services for the City's lead-based paint programs since 2006. ETC has consistently provided services in a fast and efficient manner and has provided excellent reports. ETC's costs will include \$585 for a single-family property and \$690 for a two-family property. A justification for not issuing a request for proposals is attached.

A total of \$592,328 will be made available to assist approximately 46 housing units. Household incomes must be at or below 80% of the area median income (AMI). Only one- and two-family properties will be eligible for assistance. This limitation is being imposed because city data has

June 16, 2015

demonstrated that 77% of lead-based paint hazards have been cited in one and two family properties.

All properties must have been built before 1978. A total of 30 owner-occupied properties and eight two-family rental properties will receive assistance. Owner-occupied properties must have at least one child under age six. Eligible properties will receive assistance as follows: one-unit, \$15,000; two-unit, \$18,000. The expected housing mix is provided in the table below. Costs include the cost of the risk assessment.

<u>Housing Type</u>	<u>Total Structures</u>	<u>Number of Units</u>	<u>Approximate Grant Amount</u>	<u>Total</u>
1-unit	30	30	\$15,000	\$450,000
2-unit	8	16	\$18,000	144,000
Total	38	46		\$594,000

Landlords will be required to contribute a 10% funding match. Owner-occupants will be required to provide a funding match based on the income table below.

<u>% of AMI</u>	<u>Amount</u>
0-30	\$50
30-50	\$250
50-80	\$500

Northwest Community Services Community Development Corporation (NCS) will provide application intake services for the program at a cost of \$15,000. They will also contribute \$114,000 toward construction costs. NCS funding is eligible only for single-family, owner-occupied properties.

The program budget is as follows:

<u>Uses</u>	<u>City</u>	<u>NCS</u>	<u>Total</u>
Construction	\$478,328	\$114,000	\$592,328
NCS Agreement	15,000		15,000
Total	\$493,328	\$114,000	\$607,328

The Healthy Homes Program is expected to begin on July 1, 2015 and conclude by June 30, 2016.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-102

Ordinance No. 2015-176
(Int. No. 194)

Appropriating funds and authorizing agreements for the Healthy Homes Program

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby appropriates funds for the Healthy Homes program as follows:

1. Appropriate \$77,000 from the Housing Repair Programs allocation of the Improving the Housing Stock and General Property Conditions Fund of the 2000-01 Community Development Block Grant to fund the Healthy Homes Program.
2. Appropriate \$28,539.83 from the Housing Repair Programs allocation of the Housing Development Fund of the 2002-03 Community Development Block Grant to fund the Healthy Homes Program.
3. Appropriate \$7,824.09 from the Housing Repair Programs allocation of the Housing Development Fund of the 2003-04 Community Development Block Grant to fund the Healthy Homes Program.
4. Appropriate \$26,526.37 from the Housing Repair Programs allocation of the Housing Development Fund of the 2004-05 Community Development Block Grant to fund the Healthy Homes Program.
5. Appropriate \$4,495.87 from the Housing Repair Programs allocation of the Housing Development Fund of the 2005-06 Community Development Block Grant to fund the Healthy Homes Program.
6. Appropriate \$123,060.67 from the Housing Repair Programs allocation of the Housing Development Fund of the 2006-07 Community Development Block Grant to fund the Healthy Homes Program.
7. Appropriate \$49,958.76 from the Housing Repair Programs allocation of the Housing Development Fund of the 2007-08 Community Development Block Grant to fund the Healthy Homes Program.
8. Appropriate \$3,117.97 from the Housing Repair Programs allocation of the Housing Development Fund of the 2008-09 Community Development Block Grant to fund the Healthy Homes Program.
9. Appropriate \$144.75 from the Housing Repair Programs allocation of the Housing Development Fund of the 2009-10 Community Development Block Grant to fund the Healthy Homes Program.
10. Appropriate \$3.10 from the Housing Repair Programs allocation of the Housing Development Fund of the 2010-11 Community Development Block Grant to fund the Healthy Homes Program.
11. Appropriate \$153,497.53 from the Housing Repair Programs allocation of the Housing Development Fund of the 2011-12 Community Development Block Grant to fund the Healthy Homes Program.
12. Appropriate \$.03 from the Housing Repair Programs allocation of the Housing Development Fund of the 2012-2013 Community Development Block Grant to fund the Healthy Homes Program.
13. Appropriate \$1,245.47 from the Housing Repair Programs allocation of the Housing Development Fund of the 2013-2014 Community Development Block Grant to fund the Healthy Homes Program.

June 16, 2015

14. Appropriate \$17,914 from the Housing Repair Programs allocation of the Housing Development Fund of the 2014-2015 Community Development Block Grant to fund the Healthy Homes Program.

Section 2. The Council hereby authorizes the use of \$452,708.44 for the Healthy Homes Program from the amounts appropriated in Section 1 hereof.

Section 3. The Mayor is hereby authorized to enter into an agreement with Northwest Community Services Community Development Corporation to provide customer services for the program in the maximum amount of \$15,000. The agreement will be funded from the amounts appropriated herein. The term of the agreement shall be one year.

Section 4. The Mayor is hereby authorized to enter into an agreement with Environmental Testing & Consulting to provide lead based paint evaluations for the program in the maximum amount of \$25,620. The cost of the agreement will be financed from the amounts appropriated herein. The term of the agreement shall be one year.

Section 5. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City will enter into agreements for this program only with organizations that are in compliance with federal regulations.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-177
Re: Grant Application-Lead Hazard
Control Program 2015 Funding
Application

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation authorizing the submission of a funding application to the United States Department of Housing and Urban Development (HUD) Office of Healthy Homes and Lead Hazard Control for \$3,825,000.

HUD recently published its Notice of Funding Availability (NOFA) for its Lead Hazard Control Programs. Under this current NOFA, eligible applicants may receive up to \$3.5 million to carry out lead hazard control activities plus an additional supplement of \$325,000 to control other environmental health hazards. The City is proposing to apply for this maximum amount. A 25% local funding match is required which is attributed to the lead hazard control funds (\$3,500,000). The match amount will be spread out over the three-year period of the grant. The first year's match of \$300,000 is included in the proposed 2015-16 Consolidated Community Development Plan.

The City will request funding from HUD to control lead-based paint hazards in a minimum of 200 units of privately-held, one to four unit residential structures. Eligible properties will receive approximately \$15,000 for single-family properties; \$18,000, two-family properties; \$21,000, three-family properties; and \$24,000, four-family properties. Every assisted unit will receive a lead-based

June 16, 2015

paint risk assessment. All lead-based paint hazards identified in the risk assessment report will be addressed with grant funds. Owner-occupants must have incomes at or below 80% of the area median income (AMI) and must have at least one child occupant under age 6. For rental properties, at least 50% of the tenants must have incomes at or below 50% of the AMI and the remaining units must be occupied by tenants with incomes at or below 80% of the AMI. The program will be available city-wide, but will target neighborhoods with the highest incidence of child lead poisoning.

In addition to direct lead hazard control, other activities to be funded include: risk assessments, child blood testing services and contractor training. The grant will also fund an outreach and education program for at-risk households to build awareness of the dangers of lead-based paint and other environmental health hazards. Grant funds will also be used to secure up to two non-profit housing organizations to provide customer service (primarily application intake services) for the program.

HUD is expected to announce funding awards by October 2015. If funded, the program will begin within three months of the HUD contract date and will operate for a maximum of three years.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-177
(Int. No. 195)

Authorizing an application and agreement for the lead hazard control program

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to submit an application to and enter into an agreement with the United States Department of Housing and Urban Development for funding for the City's Lead Hazard Control Program in the amount of \$3,825,000.

Section 2. The application and agreement shall contain such terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-178
Re: Draft Local Waterfront Revitalization
Program Update

Council Priority: Creating and Sustaining
a Culture of Vibrancy

Transmitted herewith for your approval is legislation related to the preparation of an update to the City's Local Waterfront Revitalization Program (LWRP). This legislation will:

June 16, 2015

1. Accept the LWRP Update as a draft document in preparation for its review by the New York State Department of State (NYSDOS); and
2. Authorize submission of the document to NYSDOS for their formal 60-day review process.

Funding for the preparation of the draft LWRP Update was provided by an Environmental Protection Fund grant from NYSDOS, as authorized by City Council via Ordinance No. 2007-455. The final grant agreement with NYSDOS was approved and fully executed in November 2010.

The purpose of the draft document is to update the City's LWRP, which was originally adopted by City Council in 1990. The LWRP is listed as an "implementing strategy" for the City's Comprehensive Plan in Chapter 130 of the City Code. This update will expand the boundary of the plan to include all of the City's waterfront areas along Lake Ontario, the Genesee River and the Erie Canal. The update will also identify new waterfront policies, projects and priorities that will serve as a guide for future development and infrastructure improvements, and will help expand and leverage potential funding opportunities. The draft and final LWRP Update documents will incorporate the City's Port of Rochester Harbor Management Plan, which has been prepared by Bergmann Associates, P.C.

Following submission of the draft document to NYSDOS, the City will receive comments back from NYSDOS, and edit the document based on those comments and additional public input, before issuing the final LWRP Update document. The final document will be submitted to City Council for approval and adoption as an amendment to the City's Comprehensive Plan. A public hearing by the City Planning Commission and City Council will be required at that time, along with a completed State Environmental Quality Review (SEQR).

The draft LWRP Update was prepared by City planning staff with assistance from a waterfront planning consultant team. A 25-member Waterfront Advisory Committee (WAC) also assisted in the preparation of this document. Five focus group meetings and two public informational meetings were held during the planning process. A web page and web survey were also used to solicit public input.

It is anticipated that the final LWRP Update document will be submitted to City Council for approval in fall 2015.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-103

Ordinance No. 2015-178
(Int. No. 196)

Ordinance accepting the City of Rochester Draft Local Waterfront Revitalization Program Update

WHEREAS, the City of Rochester has initiated preparation of a Draft Local Waterfront Revitalization Program Update in cooperation with the New York State Department of State, and

June 16, 2015

WHEREAS a Draft Local Waterfront Revitalization Program Update dated May, 2015 has been prepared with the assistance of a consultant team including Ingalls Planning and Design, Steinmetz Planning Group and Don Naetzker.

NOW THEREFORE BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby accepts the City of Rochester Draft Local Waterfront Revitalization Program Update dated May, 2015 as complete and ready for public review, and authorizes it to be submitted to the New York State Department of State for review by State, Federal and regional agencies pursuant to the provisions of Article 42 of the Executive Law.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Councilmember Palumbo moved to amend Int. No. 197.

Seconded by Councilmember Spaul

The motion was adopted by the following vote:

Ayes - President Scott, Councilmembers Conklin, Haag, McFadden, Ortiz, Palumbo, Patterson, Spaul - 8.

Nays - None - 0.

Councilmember Miller abstained because of a professional relationship.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2015-179
Re: New York State Consolidated
Funding Application

Council Priority: Creating and Sustaining
a Culture of Vibrancy; Jobs and Economic
Development; Rebuilding and Strengthening
Neighborhood Housing

Transmitted herewith for your approval is legislation related to the 2015-16 New York State Consolidated Funding Application (CFA) process. The CFA is the single point of entry for accessing up to \$750 million in State funding from 11 State agencies: Empire State Development; Canal Corporation; Energy Research and Development Authority; Environmental Facilities Corporation; Homes and Community Renewal; Department of Labor; Power Authority; Office of Parks, Recreation, and Historic Preservation; Department of State; Department of Environmental Conservation; and Council on the Arts. Applications are due on July 31, 2015. This legislation will:

1. Authorize the City's applications for funding thorough the CFA process.
2. Authorize any necessary agreements with New York State for the receipt of funding.

3. Authorize the sale of the former Pulaski Library at 1151 Hudson Avenue to the Rochester Land Bank Corporation for \$1.00 upon award of CFA funding.

City Applications

From March 5 through April 15, 2015, an interdepartmental team of City staff met to review CFA recommendations from departments. Projects recommended for City submissions were based on the current stage of project development, consistency with fund source guidelines, ability to complete projects in the timeframes established by State agency guidelines and the ability to obtain matching funds through the City's Capital Improvement Program.

The City of Rochester intends to submit up to 11 applications through the CFA for the projects listed below, for a total of approximately \$154 million. Project descriptions are provided in the attached summary.

<u>Project</u>	<u>Total Project Cost</u>	<u>State Funding Request</u>	<u>Agency Source</u>	<u>City Match</u>
Joseph A. Floreano Rochester Riverside Convention Center	\$100,000,000	\$100,000,000	NYS CFA, DOS, URI	\$0
Blue Cross Arena at the War Memorial	\$35,000,000	\$35,000,000	NYS CFA DOS, URI	\$0
Broad Street Aqueduct	\$25,000,000	\$1,000,000	NYS CFA, URI	\$0
Inner Loop North Transformation Feasibility Study	\$40,000,000	\$1,000,000	NYS CFA,/FHWA	\$0
Market Driven Community Co-op Start Up	\$1,000,000	\$1,000,000	NYS CFA	\$0
Rochester Land Bank	\$1,030,000	\$500,000	NYS CFA EPF	\$500,000
Charles Carroll Park Plaza	\$7,500,000	\$3,000,000	NYSDOS, LWRP, URI	\$3,500,000
East Main Street Reconstruction	\$4,000,000	\$3,200,000	NYS CFA/NYS DOT/FHWA, URI	\$800,000
Erie Harbor Enhancements	\$1,570,000	\$785,000	NYS CFA DOS	\$785,000
West River Wall Restoration	\$7,000,000	\$3,500,000	NYS CFA, Canal Corp, NYS	\$3,500,000

June 16, 2015

DOS, LWRP, US EDA,
NYS Parks

Edgerton Park Renovation	\$8,000,000	\$4,000,000	NYS CFA DOS	\$4,000,000
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If State funding is awarded, the local match amounts will be funded from future Capital Improvement Plans, with the exception of the Rochester Land Bank application, for which the local match will consist of \$300,000 from the City's Property Management Trust Fund and \$200,000 from future Capital Improvement Plans.

Respectfully Submitted,
Lovely A. Warren
Mayor

Attachment No. AO-104

Ordinance No. 2015-179
(Int. No. 197, as amended)

Authorizing Consolidated Funding Grant applications and agreements

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to submit applications to and enter into agreements with New York State for funding through the 2015-16 Consolidated Funding Application for the following projects:

<u>Project</u>	<u>Total Project Cost</u>	<u>State Funding Request</u>	<u>Agency Source</u>	<u>City Match</u>
Joseph <u>A</u> Floreano <u>Rochester</u> Riverside Convention Center	\$100,000,000	\$100,000,000	NYS CFA, DOS, URI	\$0
Blue Cross Arena at the War Memorial	\$35,000,000	\$35,000,000	NYS CFA DOS, URI	\$0
Broad Street Aqueduct	\$25,000,000	\$1,000,000	NYS CFA, URI	\$0
Inner Loop North Transformation Feasibility Study	\$40,000,000	\$1,000,000	NYS CFA, FHWA	\$0
Market Driven Community Co-op Start Up	\$1,000,000	\$1,000,000	NYS CFA	\$0
Rochester Land Bank <u>Corp.</u>	\$1,500,000 <u>\$1,030,000</u>	\$1,500,000 <u>\$500,000</u>	NYS CFA <u>EPE</u>	\$0 <u>\$500,000</u>

June 16, 2015

Charles Carroll Park Plaza	\$7,500,000	\$3,000,000	NYSDOS, LWRP, URI	\$3,500,000
East Main Street Reconstruction	\$4,000,000	\$3,200,000	NYS CFA/NYS DOT/FHWA, URI	\$800,000
Erie Harbor Enhancements	\$1,570,000	\$785,000	NYS CFA DOS	\$785,000
West River Wall Restoration	\$7,000,000	\$3,500,000	NYS CFA, Canal Corp, NYS DOS, LWRP, US EDA, NYS Parks	\$3,500,000
Edgerton Park Renovation	\$8,000,000	\$4,000,000	NYS CFA DOS	\$4,000,000

Section 2. The applications and agreements shall contain such terms and conditions as the Mayor deems to be appropriate. Local funding shall be provided through funds already allocated for these purposes, or through the Capital Improvement Plan in future years. For the Rochester Land Bank Corporation application, the City match of \$500,000 shall be funded by \$300,000 from the City Property Management Trust Fund and \$200,000 from the Capital Improvement Plan in future years. The Rochester Land Bank Corporation shall also provide funding of \$30,000.

Section 3. The Council hereby authorizes the sale of the real property of the former Pulaski Library Building at 1151 Hudson Avenue, Rochester NY to the Rochester Land Bank Corporation for \$1.00 contingent upon approval of funding from New York State pursuant to the application for funding authorized herein.

~~Section 3.~~ Section 4. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed by the following vote:

Ayes - President Scott, Councilmembers Conklin, Haag, McFadden, Ortiz, Palumbo, Patterson, Spaul - 8.

Nays - None - 0.

Councilmember Miller abstained because of a professional relationship.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-180
Re: 2015-16 Consolidated Community
Development Plan - Housing
Opportunities for Persons with AIDS

June 16, 2015

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to the 2015-16 Housing Opportunities for Persons with AIDS (HOPWA) program as described in the 2015-16 Consolidated Community Development Plan (Con Plan), contingent upon adoption of the Con Plan. This legislation will:

1. Appropriate a total of the estimated \$660,186 from the 2015-16 Housing Choice Fund, Housing Opportunities for Persons with AIDS account of the Consolidated Community Development Plan for program implementation.
2. Reprogram unspent 2009-10 HOPWA funds:
Catholic Charities of the Diocese of Rochester d/b/a
Catholic Charities Community Services \$ 4,756.69
3. Reprogram unspent FY 2010-11 HOPWA funds:
Catholic Charities of the Diocese of Rochester d/b/a
Catholic Charities Community Services \$ 2,035.63
4. Reprogram unspent FY 2011-12 HOPWA funds:
Catholic Charities of the Diocese of Rochester d/b/a
Catholic Charities Community Services \$ 7,298.68
5. Reprogram unspent FY 2012-13 HOPWA funds:
AC Center, Inc. d/b/a/ Trillium Health \$ 3,932.98
Catholic Charities of the Diocese of Rochester d/b/a
Catholic Charities Community Services \$ 2,893.59
6. Reprogram HOPWA funds reserved for City staff costs and
unspent 2012-13 HOPWA funds to Catholic Charities of the
Diocese of Rochester d/b/a Catholic Charities Community Services \$ 74.08
7. Reprogram unspent 2013-14 HOPWA funds:
AC Center, Inc. d/b/a/ Trillium Health \$ 38,952.55
Catholic Charities of the Diocese of Rochester d/b/a
Catholic Charities Community Services \$ 16,096.31
8. Establish maximum compensation for agreements with the agencies below for
program implementation. The cost of these agreements will be financed from the
funds appropriated herein.
AC Center, Inc. d/b/a Trillium Health \$438, 997.53
Catholic Charities of the Diocese of Rochester d/b/a
Catholic Charities Community Services \$297,228.98
\$736,226.51
9. Authorize the Director of Finance to record all transfers herein and to make
adjustments to the amounts set forth below which may have changed prior to the
date of this ordinance.

HOPWA provides housing assistance and services to prevent homelessness for individuals with HIV/AIDS and related complications, and their families. Assistance includes both long-term (over 21 weeks) and short-term services and financial assistance in the form of payments of mortgage, rent, and utilities. Both providers maximize HOPWA assistance through the coordination of other

June 16, 2015

funding sources and service providers. The HOPWA grant from HUD is awarded to the City to serve Livingston, Monroe, Ontario, Orleans, and Wayne counties. Trillium Health provides service to the five-county area; Catholic Charities Community Services serves the City and Monroe County.

These two organizations are uniquely qualified for this special needs population. Both receive additional State and federal HIV/AIDS-targeted funds, which provide for additional case management, housing placement, and other critical services. Both are active within the Rochester Area Task Force on AIDS that involves medical and support service providers and have a long-standing, close working relationship with each other.

Services projected and provided, by number of households, are summarized below.

<u>Agency</u>	<u>2013-14 Goal</u>	<u>2013-14 Actual</u>	<u>2014-15 Goal</u>	<u>2014-15 Actual thru March 2015</u>	<u>2015-16 Goal</u>
AC Center, Inc. d/b/a Trillium Health: Rental assistance and support services	125	127	126	95	114
Catholic Charities Community Services: Rental assistance and support services	<u>75</u>	<u>77</u>	<u>73</u>	<u>55</u>	<u>76</u>
TOTALS	200	204	199	150	190

If funds are different, not available, or prove to be less than originally advised, the agreement amounts and terms will be adjusted. The agreement terms will be for one year, with option to extend for an additional year if funds remain in the original appropriation.

The City will enter into agreements for this program only with organizations that are in compliance with federal regulations.

HOPWA related legislation was last authorized on May 20, 2014 via Ordinance No. 2014-114. This legislation supports Section 4 of the City of Rochester Housing Policy: *Promote Housing Choice*.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-105

Ordinance No. 2015-180
(Int. No. 199)

Authorizing agreements and appropriating funds for the Housing Opportunities For Persons With AIDS Program

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into agreements with the following organizations for services under the Housing Opportunities for Persons with AIDS Grant Program (HOPWA):

June 16, 2015

<u>Organization</u>	<u>Amount</u>
AC Center, Inc. d/b/a Trillium Health	\$438,997.53
Catholic Charities of Diocese of Rochester d/b/a Catholic Charities Community Services	\$297,228.98

Section 2. The agreements shall obligate the City to pay an amount not to exceed \$736,226.51, and said amount shall be funded from the amounts appropriated herein. The agreements shall be for one year, with an option to extend for an additional year if funds remain in the original appropriation.

Section 3. The amount of \$660,186 is hereby appropriated from the FY 2015-16 Housing Choice Fund, Housing Opportunities for Persons with AIDS account of the Consolidated Community Development Plan for this purpose, contingent upon adoption. In addition, unspent prior year funds from the Housing Choice Fund, Housing Opportunities for Persons with AIDS account of the Consolidated Community Development Plan shall be reprogrammed for this purpose as follows: \$4,756.69 from 2009-10; \$2,035.63 from 2010-11; \$7,298.68 from 2011-12; \$3,932.98 from 2012-13 and an additional \$2,893.59 from 2012-13 and an additional \$74.08 from 2012-13; \$38,952.55 from 2013-14 and an additional \$16,096.31 from 2013-14.

Section 4. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City will enter into agreements for this program only with organizations that are in compliance with federal regulations.

Section 5. The Director of Finance is authorized to record all transfers herein and to make adjustments to the amounts set forth herein which may have changed prior to the date of this ordinance.

Section 6. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Conklin, McFadden, Miller, Ortiz, Palumbo, Patterson, Spaul - 8.

Nays - None - 0.

Councilmember Haag abstained because of a familial relationship.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2015-181

Re: 2015-16 Consolidated Community
Development Plan - Emergency
Solutions Grants Program

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

June 16, 2015

Transmitted herewith for your approval is legislation related to the provision of Emergency Solutions Grant Program (ESG) services. This legislation will:

1. Authorize 14 agreements with 12 not-for-profit providers of services to homeless individuals and families, as itemized in the chart below; and
2. Establish \$628,187 as maximum compensation for the organizations below to be funded from the Housing Choice Fund of the 2015-16 Consolidated Community Development Block Grant Consolidated Plan/Emergency Solutions Grants Program, contingent upon adoption of the 2015-16 Consolidated Community Development Plan (Con Plan).

<u>Organization</u>	<u>Amount</u>
Center for Youth Services, Inc.	\$ 38,536
Coordinated Care Services, Inc. - Coordinated Access	154,100
Coordinated Care Services, Inc. - Rapid Re-Housing	188,956
Dimitri House, Inc.	16,290
Mercy Community Services, Inc.	9,000
Rochester Area Interfaith Hospitality Network, Inc.	25,000
Salvation Army of Western New York, Inc.	27,850
Saving Grace Ministries of Rochester, Inc.	10,000
Spiritus Christi Prison Outreach, Inc. - Jennifer House	29,360
Spiritus Christi Prison Outreach, Inc. - Nielsen House	14,860
Veterans Outreach Center, Inc.	20,000
Volunteers of America, Inc.	29,235
Willow Center for Domestic Violence (formerly Alternatives for Battered Women, Inc.)	15,000
YWCA of Rochester and Monroe County, Inc.	<u>50,000</u>
	\$628,187

This program was last authorized by City Council on June 17, 2014 via Ordinance No. 2014-175. ESG provides housing and support services for individuals and families who are homeless or at risk of homelessness. Eligible activities include case management, support services, service coordination, shelter operations (staffing and operating costs) and addition of beds, financial assistance and related services for the prevention of homelessness and rapid re-housing.

The Homeless Emergency Assistance and Rapid Transition to Housing Act (HEARTH) ESG Program requires that grantees (City and County) collaborate with the community of homelessness service providers. To that end, funding priorities were jointly determined with the Rochester/Monroe County Continuum of Care (CoC). 2015-16 providers were selected through a request for proposals (RFP) process, as described in the attached summary. The RFP development and funding distribution decisions were conducted jointly with Monroe County. The RFP was issued March 6, 2015.

If funds are different, not available, or less than anticipated, agreement amounts and terms will be adjusted accordingly. Agreement terms will be for one year, with the option to extend for an additional year if funds remain in the original appropriation.

This legislation supports the City's Housing Policy, Section 4: Promote Housing Choice.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-106

Ordinance No. 2015-181
(Int. No. 200)

Authorizing agreements for the Emergency Solutions Grant

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into agreements with providers of services for services to homeless individuals under the Emergency Solutions Grant. The agreements shall obligate the City to pay an amount in total not to exceed \$628,187, with the maximum amount for each agreement being as set forth below, and said amount, or so much as may be necessary shall be funded by \$628,187 from the Housing Choice Fund of the 2015-16 Consolidated Community Development Block Grant Consolidated Plan/Emergency Solutions Grants Program, contingent upon adoption. The agreements shall be for one year, with an option to extend for an additional year if funds remain in the original appropriation.

<u>Organization</u>	<u>Amount</u>
Center for Youth Services, Inc.	\$ 38,536
Coordinated Care Services, Inc. - Coordinated Access	154,100
Coordinated Care Services, Inc. - Rapid Re-Housing	188,956
Dimitri House, Inc.	16,290
Mercy Community Services, Inc.	9,000
Rochester Area Interfaith Hospitality Network, Inc.	25,000
Salvation Army of Western New York, Inc.	27,850
Saving Grace Ministries of Rochester, Inc.	10,000
Spiritus Christi Prison Outreach, Inc. - Jennifer House	29,360
Spiritus Christi Prison Outreach, Inc. - Nielsen House	14,860
Veterans Outreach Center, Inc.	20,000
Volunteers of America, Inc.	29,235
Willow Center for Domestic Violence (formerly Alternatives for Battered Women, Inc.)	15,000
YWCA of Rochester and Monroe County, Inc.	<u>50,000</u>
	\$628,187

Section 2. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City shall only enter into agreements with organizations that are in compliance with Federal regulations.

Section 3. This ordinance shall take effect immediately.

Passed by the following vote:

Ayes - President Scott, Councilmembers Conklin, Haag, McFadden, Miller, Ortiz, Palumbo, Patterson, - 8.

Nays - None - 0.

Councilmember Spauld abstained because of a professional relationship.

June 16, 2015

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2015-182
Re: 2015-16 Consolidated Community
Development Plan - Aging in Place
Home Modification Program

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation related to the Aging in Place Home Modification Program. This legislation will:

1. Appropriate \$20,000 from the Housing Development Fund, Emergency Assistance Repair Program allocation of the 2015-16 Consolidated Community Development Plan (Con Plan), contingent upon its adoption, to address home safety modifications for income-eligible, owner-occupants; and
2. Establish \$20,000 as maximum compensation for an agreement with Lifespan to conduct the program, which will be funded from the appropriation herein. The term of the agreement is from July 1, 2015 to March 31, 2016.

The last agreement for the Aging in Place Home Safety Modification Program was authorized by City Council on May 20, 2014 via Ordinance No. 2014-120. A justification for not issuing a request for proposals is attached.

The description and details of the Aging in Place Home Modification Program is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-107

Ordinance No. 2015-182
(Int. No. 201)

Authorizing an agreement with Lifespan and appropriating funds for the Aging in Place Home Modification Program

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into the following agreement to implement the Aging in Place Home Modification Program:

<u>Agency</u>	<u>Purpose</u>	<u>Amount</u>
Lifespan	Aging in Place	\$20,000

Section 2. The agreement shall obligate the City to pay an amount not to exceed \$20,000, and said amount, or so much thereof as may be necessary, shall be funded from the Housing Development Fund, Emergency Assistance Repair Program of the 2015-16 Consolidated Community

June 16, 2015

Development Plan contingent on adoption of that Plan, which amount is hereby appropriated for the program. The term of the agreement shall be nine months.

Section 3. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City will enter into agreements for this program only with organizations that are in compliance with federal regulations.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2015-183
Re: Agreement and Appropriations -
Buyer Assistance, Consolidated
Community Development Plan

Council Priority: Rebuilding and
Strengthening Neighborhoods

Transmitted herewith for your approval is legislation related to the Buyer Assistance Program as described in the 2015-16 Consolidated Community Development Plan (Con Plan), contingent upon its adoption. This legislation will:

1. Appropriate \$240,000 from the Buyer Assistance account of the Homeownership Promotion Fund, HOME fund of the 2015-16 Con Plan;
2. Appropriate \$45,000 from the Buyer Assistance account of the Homeownership Promotion Fund, City Development Fund (CDF) of the 2015-16 Con Plan;
3. Appropriate \$420,000 from 2015-16 Cash Capital, contingent upon adoption of the budget;
4. Transfer \$63,014.54 from the Focused Investment Strategy allocation of the Neighborhood and Asset-Based Planning Fund to the Buyer Assistance allocation of the Homeownership Fund of the 2009-10 City Development Fund;
5. Transfer \$27,194.61 from the Focused Investment Strategy allocation of the Neighborhood and Asset-Based Planning Fund to the Buyer Assistance allocation of the Homeownership Fund of the 2012-13 CDF;
6. Amend the 2009-10 and 2012-13 Con Plan to reflect the above transfers and appropriate the funds totaling \$90,209.15; and
7. Authorize the Director of Finance to record all transfers herein and to make adjustments to the amounts set forth below which may have changed prior to the date of this ordinance.

This legislation will also authorize agreements with the recipients of Buyer Assistance funds.

June 16, 2015

The Buyer Assistance Program provides financial assistance of up to \$6,000 to first time homebuyers who purchase houses through the City's housing initiatives, as described in the Consolidated Community Development Plan. The financial assistance provided by the program is for closing costs and down payment.

Buyer eligibility is based on income, ability to qualify for a conventional mortgage loan for which payments will not exceed 30% of the gross monthly income, and payment of personal funds in the amount of a minimum of \$1,500 towards the purchase of the home. Each homebuyer must complete a pre-purchase education class before closing and attend post-purchase classes as well.

The 2015-16 HOME allocation will serve up to 80 income eligible first time homebuyers with incomes up to 80% median family income (MFI) through June 30, 2016. The \$420,000 in Cash Capital will serve up to 120 income eligible homebuyers with incomes ranging from 81% to 120% MFI. The \$135,209.15 CDF allocation will serve up to 45 income eligible homebuyers with incomes above 120% MFI who participate in our Employer Assisted Housing Initiative program.

The Buyer Assistance Program supports the City Housing Policy objective to promote the rehabilitation, redevelopment and new construction of housing.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-183
(Int. No. 202)

Authorizing agreements and appropriating funds for the Buyer Assistance Program

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The following amounts are hereby appropriated for the Buyer Assistance Program: \$240,000 from the Buyer Assistance account of the Homeownership Promotion Fund - HOME fund of the 2015-16 Consolidated Community Development Plan for the Buyer Assistance Program; \$45,000 from the Buyer Assistance account of the Homeownership Promotion Fund - City Development Fund of the 2015-16 Consolidated Community Development Plan for the Buyer Assistance Program; and \$420,000 from 2015-16 Cash Capital, contingent upon adoption of the 2015-16 Budget.

Section 2. The Council hereby approves amending the 2009-10, and 2012-13 Consolidated Community Development Plan - Annual Action Plans by transferring funds as described below:

1. Transfer \$63,014.54 from the Focused Investment Strategy allocation of the Neighborhood and Asset-Based Planning Fund to the Buyer Assistance allocation of the Homeownership Fund of the 2009-10 City Development Fund (CDF);
2. Transfer \$27,194.61 from the Focused Investment Strategy allocation of the Neighborhood and Asset-Based Planning Fund to the Buyer Assistance allocation of the Homeownership Fund of the 2012-13 CDF;
3. Amend the 2009-10 and 2012-13 Consolidated Community Development Plan-Annual Action Plans to reflect the above transfers and appropriate said funds totaling \$90,209.15 for the Buyer Assistance Program.

June 16, 2015

Section 3. The Mayor is hereby authorized to enter into such agreements as may be necessary to implement the Program, to be funded from the amounts appropriated herein.

Section 4. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 5. The Director of Finance is authorized to record all transfers herein and to make adjustments to the amounts set forth herein which may have changed prior to the date of this ordinance.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2015-184

Re: Agreements and Appropriations -
Homebuyer Training, Consolidated
Community Development Plan

Council Priority: Rebuilding and
strengthening Neighborhoods

Transmitted herewith for your approval is legislation related to the Homebuyer Training Program as described in the proposed 2015-16 Consolidated Community Development Plan (Con Plan). This legislation will:

1. Appropriate \$50,000 of HOME funds from the Homebuyer Training allocation of the Homeownership Fund of the 2015-16 Consolidated Community Development Plan, contingent upon adoption;
2. Appropriate \$25,000 of the City Development Fund (CDF) from the Homebuyer Training allocation of the Homeownership Fund of the 2015-16 Consolidated Community Development Plan, contingent upon adoption;
3. Transfer \$2,168 from the Neighborhood and Asset Planning Fund to the Assisted Housing allocation of the Homeownership Assistance Fund of the 2008-09 CDF;
4. Transfer \$1,500 from the Focused Investment Strategy allocation of the Neighborhood and Asset Planning Fund to the Homebuyer Training allocation of the Homeownership Assistance Fund of the 2009-10 CDF;
5. Transfer \$9,170.97 from the Focused Investment Strategy allocation of the Neighborhood and Asset-Based Planning Fund to the Homebuyer Training allocation of the Homeownership Fund of the 2011-12 CDF;
6. Amend the 2008-09, 2009-10 and 2011-12 Con Plans to reflect the above transfers and appropriate the funds totaling \$12,838.97;

June 16, 2015

7. Authorize agreements and establish \$87,838.97 as aggregate maximum compensation from the appropriations herein for agreements with four organizations to provide Homebuyer Training; and
8. Authorize the Director of Finance to record all transfers herein and to make adjustments to the amounts set forth below which may have changed prior to the date of this ordinance.

The following organizations will provide Homebuyer Training for the City of Rochester:

- NeighborWorks Rochester
- The Home Store, Urban League of Rochester
- Consumer Credit Counseling Services of Rochester
- The Housing Council at PathStone

These four organizations will provide pre- and post-purchase training at a cost of \$350 and \$150, respectively, to all recipients of City grants for closing costs. These agreements will allow for up to 180 individuals per year to receive training. These contracts will be for three year terms commencing on July 1, 2015.

These providers were selected through a request for proposal process, as described in the attached summary. The City will enter into agreements for this program only with organizations that are in compliance with Federal regulations.

The Homeownership Promotion Fund, Homebuyer Training supports the City Housing Policy objective to promote the rehabilitation, redevelopment and new construction of housing.

The City will enter into agreements for this program only with organizations that are in compliance with Federal regulations.

A public hearing is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No AO-108

Ordinance No. 2015-184
(Int. No. 203)

Authorizing agreements and appropriating funds for the Homebuyer Training Program

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The following amounts are hereby appropriated for the Homebuyer Training Program:

1. \$50,000 of HOME funds from the Homebuyer Training allocation of Homeownership Fund of the 2015-16 Consolidated Community Development Plan, contingent upon adoption;

June 16, 2015

2. \$25,000 of the City Development Fund from the Homebuyer Training allocation of the Homeownership Fund of the 2015-16 Consolidated Community Development Plan, contingent upon adoption.

Section 2. The Council hereby approves amending the 2008-09, 2009-10, and 2011-12 Consolidated Community Development Plan-Annual Action Plans by transferring funds as described below and appropriating said funds totaling \$12,838.97 for the Homebuyer Training Program:

1. Transfer \$2,168 from the Neighborhood and Asset Planning Fund to the Assisted Housing allocation of the Homeownership Assistance Fund of the 2008-09 City Development Fund (CDF);
2. Transfer \$1,500 from the Focused Investment Strategy allocation of the Neighborhood and Asset Planning Fund to the Homebuyer Training allocation of the Homeownership Assistance Fund of the 2009-10 CDF;
3. Transfer \$9,170.97 from the Focused Investment Strategy allocation of the Neighborhood and Asset-Based Planning Fund to the Homebuyer Training allocation of the Homeownership Fund of the 2011-12 CDF.

Section 2. The Mayor is hereby authorized to enter into agreements to implement the Homebuyer Training Program, in an aggregate amount not to exceed \$87,838.97 with the following organizations, to be funded from the amounts appropriated herein:

NeighborWorks Rochester
The Home Store, Urban League of Rochester NY Inc.
Consumer Credit Counseling Services of Rochester
The Housing Council at PathStone

Section 3. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City will enter into agreements for this program only with organizations that are in compliance with federal regulations.

Section 4. The Director of Finance is authorized to record all transfers herein and to make adjustments to the amounts set forth herein which may have changed prior to the date of this ordinance.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-185
Re: Zoning Map Amendment - 818, 854
Hudson Avenue and 28, 32, 36, 42,
46 Herald Street

Transmitted herewith for your approval is legislation amending the Zoning Map of the City of Rochester by rezoning the properties referenced above as follows: 818 Hudson Avenue and 28, 32, 36, 42, 46 Herald Street from R-1 Low Density Residential District to M-1 Industrial District, and

June 16, 2015

854 Hudson Avenue from C-1 Neighborhood Center District to M-1 Industrial District. The rezoning is requested by Quality Vision International so that these properties can be combined with their main campus located at 850 Hudson Avenue. Combining these properties will allow Quality Vision International to expand their facilities. They will provide a buffer for the adjoining residential properties in the form of black wrought iron fencing and landscaping.

Quality Vision International held a community meeting to discuss this rezoning. A list of attendees and a summary of this meeting, as provided by the applicant, are attached.

The City Planning Commission held an informational meeting on the proposed rezoning on May 18, 2015. Two people spoke in support of the rezoning; no one spoke in opposition. By a vote of 6-0, the Planning Commission recommended approval.

A public hearing is required for the Zoning Map Amendment.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-109

Ordinance No. 2015-185
(Int. No. 205)

Changing the zoning classification of 818 Hudson Avenue and 28, 32, 36, 42, and 46 Herald Street from R-1 Low Density Residential District to M-1 Industrial District and changing the zoning classification of 854 Hudson Avenue from C-1 Neighborhood Center District to M-1 Industrial District

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by changing the zoning classification of the following parcels, constituting 818 Hudson Avenue and 28, 32, 36, 42, and 46 Herald Street from R-1 Low Density Residential District to M-1 Industrial District and changing the zoning classification of 854 Hudson Avenue from C-1 Neighborhood Center District to M-1 Industrial District

LEGAL DESCRIPTION OF LANDS
TO BE REZONED FROM R-1 TO M-1
#818 HUDSON AVENUE
#28, 32, 36, 42 & 46 HERALD STREET
T.A. #091.810-03-051 THRU 055, 060.1

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being part of Town Lot 45, Township 14, Range 7 and being more particularly bounded and described as follows: Beginning at the centerline intersection of Herald Street (40' ROW) and Hudson Avenue (66' ROW), said intersection being the Point or Place of Beginning; thence

- 1) Northerly, along said centerline of Hudson Avenue, a distance of 203 feet, more or less, to the westerly extension of the south line of Lot 2 of the W. Kuflak's Subdivision, as filed in the Monroe County Clerk's Office in Liber 41 of Maps, Page 28; thence

June 16, 2015

- 2) Easterly, along said extension and the south line of Lot 2 & 3, a distance of 179 feet, more or less, to the southeast corner of Lot 3 & the west line of Lot 4; thence
- 3) Southerly, along said west line of Lot 4, a distance of 51.0 feet to the southwest corner thereof and the north line of the Hudson Avenue Building Lot Association Tract, as filed in the Monroe County Clerk's Office in Liber 9 of Maps, Page 42 & 57; thence
- 4) Easterly, along said north line, a distance of 209.84 feet, more or less, to the northeast corner of Lot 13 of said tract; thence
- 5) Southerly, along the east line of said Lot 13, a distance of 152.0 feet, more or less, to the said centerline of Herald Street; thence
- 6) Westerly, along said centerline, a distance of 386 feet, more or less, to the said centerline of Hudson Avenue, being the Point or Place of Beginning.

LEGAL DESCRIPTION OF LANDS
TO BE REZONED FROM C-1 TO M-1
#854 HUDSON AVENUE
T.A. #091.810-03-010

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being part of Town Lot 45, Township 14, Range 7 and being more particularly bounded and described as follows: Beginning at a point on the centerline of Hudson Avenue (66' ROW) at the westerly extension of the north line of Lot 45 of the Waterstraat & Wunder Tract, as filed in the Monroe County Clerk's Office in Liber 10 of Maps, Page 119, said point being the Point or Place of Beginning; thence

- 1) Easterly, along said extension and the north line of Lot 45, a distance of 161.1 feet, more or less, to the northeast corner thereof; thence
- 2) Southerly, along the east line of said Lot 45, a distance of 36.0 feet to the southeast corner thereof; thence
- 3) Westerly, along the south line of said Lot 45 and its extension, a distance of 160.4 feet, more or less, to the said centerline of Hudson Avenue; thence
- 4) Northerly, along said centerline, a distance of 36.0 feet to the Point or Place of Beginning.

Section 2. This ordinance shall take effect immediately.
Passed unanimously.

Councilmember Palumbo moved to discharge Int. No. 193 from committee.

The motion was seconded by Councilmember Conklin.

Adopted unanimously.

June 16, 2015

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2015-186
Re: Agreement - Rochester Housing
Development Fund Corporation,
HOME Rochester Program

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation establishing \$285,000 as maximum compensation for an agreement with the Rochester Housing Development Fund Corporation for development subsidies to serve HOME Rochester homebuyers with incomes up to 120% of area median income (AMI). The agreement will be funded from 2015-16 Cash Capital, contingent upon adoption of the 2015-16 Budget, and the term will be for one year with the option to extend for an additional year if funds remain in the original appropriation.

These funds will provide subsidies averaging \$40,000 for the acquisition and rehabilitation of approximately seven vacant, single-family houses that will be sold to income-eligible households through the HOME Rochester program. The funds allocated through this agreement will allow the program to continue to market properties to buyers with incomes between 80% and 120% of AMI.

Participating agencies in HOME Rochester include the Urban League of Rochester Economic Development Corporation, PathStone, Marketview Heights Association, NCS Community Development Corporation, Group 14621, North East Area Development, ISLA Housing and Development Corporation, South Wedge Planning Committee, and the Ibero-American Development Corporation. CONEA is working to obtain the training necessary to participate in the program.

Prior to 2010, HOME Rochester properties were available only to buyers who earned less than 80% of AMI. In 2010, the program secured financing sources that enabled it to expand service to buyers with incomes up to 120% of AMI. Since 2010, 29 HOME Rochester properties have been purchased by buyers with incomes between 81% to 120% of AMI. All purchasers are required to attend pre- and post-purchase homebuyer training classes and to reside in the properties for a minimum of 10 years.

This legislation supports the City's Housing Policy objective to promote the rehabilitation, redevelopment and new construction of housing.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-186
(Int. No. 193)

**Authorizing an agreement with the Rochester Housing Development Fund Corporation
for homebuyer assistance**

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with the Rochester Housing Development Fund Corporation in an amount not to exceed \$285,000 for development subsidies to serve HOME Rochester homebuyers with incomes up to 120% of Area Median Income

June 16, 2015

(AMI). The cost of the agreement shall be funded from the 2015-16 Cash Capital allocation contingent upon adoption. The agreement shall be for one year, with an option to extend for an additional year if funds remain in the original appropriation.

Section 2. The agreement shall contain such other terms and conditions as the Mayor deems appropriate

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Councilmember Palumbo moved to discharge Int. No. 198 from committee.

The motion was seconded by Councilmember Spaul

Adopted unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2015-187
Re: 2015-16 Consolidated Community
Development Plan – HOME
Rochester Program

City Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation relating to implementation of the 2015-16 HOME Rochester Program as described in the 2015-16 Consolidated Community Development Action Plan (Con Plan). This legislation will:

1. Appropriate funds from the 2015-16 Con Plan, contingent upon its adoption, as follows:

<u>Amount</u>	<u>Source</u>	<u>Purpose</u>
\$186,000	Housing Development Fund: Housing Development Support (CDBG)	Program Operation
\$263,819	Housing Development Fund: Community Housing Development Organization (CHDO) (HOME funds)	Development subsidies - incomes up to 80% of AMI
\$298,443	Homeownership Promotion Fund: HOME Rochester (HOME funds)	Development subsidies - incomes up to 80% of AMI

2. Establish \$186,000 as maximum compensation for an agreement with Rochester Housing Development Fund Corporation (RHDFC) for operation of the HOME Rochester program. The cost of the agreement will be financed from the Community Development Block Grant (CDBG) funds appropriated herein.
3. Authorize an agreement(s) with qualified Community Housing Development Organization(s) [CHDO(s)] for the administration of development subsidies totaling \$263,819 for families whose incomes are no more than 80% of the area median income (AMI). These subsidies will be financed from the HOME funds appropriated herein.
4. Authorize an agreement with RHDFC for the administration of development subsidies totaling \$298,443 for families whose incomes are no more than 80% of AMI. These subsidies will be financed from the HOME funds appropriated herein.
5. Agreement terms will be for one year, with an option to extend for an additional year if funds remain in the original appropriation.

The City is required to reserve at least 15% of its annual HOME award to fund the development of affordable housing by non-profit CHDOs that must demonstrate to the City that they continue to meet US Housing and Urban Development (HUD) requirements pertaining to CHDOs. Due to a change in the HOME rule governing CHDOs which requires them to hold title to the properties being developed with CHDO resources, the City of Rochester anticipates entering into one agreement for the use of 2015-16 CHDO funds with RHDFC because it has achieved status as a CHDO.

The Home Rochester Program provides for the acquisition and rehabilitation of vacant, single-family houses for resale to income-eligible households. RHDFC operates the HOME Rochester Program in partnership with the City, the Greater Rochester Housing Partnership, Inc. (GRHP), and neighborhood based non-profit developers. RHDFC buys vacant homes and oversees their renovation for sale to first time homebuyers. Since its inception in 2001, 661 properties have been rehabilitated and sold to first time homebuyers.

The total of \$562,262 proposed for development subsidies will provide an average of \$40,000 each for the acquisition and rehabilitation of approximately 14 vacant structures.

Participating agencies who serve as construction managers for the properties developed through the HOME Rochester Program include the following:

- Urban League of Rochester Economic Development Corporation (ULREDC)
- Marketview Heights Association
- North East Area Development (NEAD)
- Isla Housing and Development Corporation
- Ibero-American Development Corporation
- PathStone
- NCS Community Development Corporation
- Group 14621
- South Wedge Planning Committee (SWPC)

CONEA is working on the training needed to be able to participate in the program.

Properties rehabilitated through HOME Rochester will be marketed to families with incomes not exceeding 120% of AMI and the subsidy funds authorized herein will be used to support buyers with

June 16, 2015

incomes at or below 80% of AMI. All purchasers are required to attend pre- and post-purchase homebuyer training classes and to reside in the properties for a minimum of 10 years.

These programs support the Housing Development Fund objective of the City Housing Policy.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-187
(Int. No. 198, as amended)

Appropriating funds and authorizing agreements for the HOME Rochester Program

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. There is hereby appropriated from the 2015-16 Consolidated Community Development Plan, HOME Rochester Program, the amounts set forth below, or so much thereof as may be necessary, are hereby appropriated to fund the HOME Rochester Program.

Contingent upon Adoption of the 2015-16 Consolidated Community Development Plan, appropriate funds from the 2015-16 CDBG Plan for the HOME Rochester Program as follows:

<u>Amount</u>	<u>Source</u>	<u>Purpose</u>
\$186,000	Housing Development Fund: Housing Development Support (CDBG)	Program Operation
\$263,819	Housing Development Fund: Community Housing Development Organization (CHDO) (HOME funds)	Development subsidies - incomes up to 80% of AMI
\$298,443	Homeownership Promotion Fund: HOME Rochester (HOME funds)	Development subsidies - incomes up to 80% of AMI

Section 2. The Mayor is hereby authorized to enter into such agreements as may be necessary with the Rochester Housing Development Fund Corporation (RHDFC) to administer the HOME Rochester Program in a maximum amount of \$186,000, and an agreement with RHDFC for the administration of development subsidies totaling \$298,443 for families whose incomes are no more than 80% of Area Median Income, and an agreement with RHDFC, a designated Community Housing Development Organization, in the maximum amount of \$263,819 for development subsidies for the HOME Rochester Program. ~~and agreements in a maximum amount of \$263,819 with designated Community Housing Development Organizations (CHDOs) for the HOME Rochester Program.~~ Said agreements shall be funded from the amounts appropriated herein.

Section 3. The agreements shall be for a term of one year, with an option to extend for an additional year if funds remain in the original appropriation.

June 16, 2015

Section 4. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate. The City will enter into agreements for this program only with organizations that are in compliance with federal regulations.

Section 5. This ordinance shall take effect immediately.

Strikeout indicates deleted text, new text is underlined

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Introductory No. 204
Re: Zoning Map Amendment - 4
Edgewood Park

Transmitted herewith for your approval is legislation amending the Zoning Map of the City of Rochester by rezoning 4 Edgewood Park from R-2 (Medium Density Residential District) to C-2 (Community Center District). The rezoning is requested so that the property can be combined with the properties at 715-723, 731 and 737 West Main Street, which are already zoned C-2, to facilitate the construction of a high-impact retail store, Family Dollar. The store would like to relocate from its current location in the Bullshead Plaza to West Main Street so that it can offer its customers an upgraded, modern store that is also directly on a bus route. Family Dollar is a high-impact retail store because it plans to sell tobacco products.

The Family Dollar project is currently going through the City's site plan review process, where the need for the rezoning was identified. If the rezoning is approved, Family Dollar will still have to appear before the City Planning Commission for Special Permit approval to establish a high-impact retail store in a C-2 District. It will also have to appear before the Zoning Board to obtain area variances for exceeding the maximum square footage allowed in the District, and for not meeting the transparency and setback requirements.

The City Planning Commission held an informational meeting on the proposed rezoning on April 20, 2015. One person spoke in support of the rezoning, and two people spoke in opposition. By a vote of 1-5-0, the Planning Commission recommended Denial. Minutes of that meeting are attached.

A public hearing is required for the Zoning Map Amendment.

Respectfully submitted,
Lovely A. Warren
Mayor

Introductory No. 204

Changing the zoning classification of 4 Edgewood Park from R-2 Medium Density Residential District to C-2 Community Center District

BE IT ORDAINED, by the Council of the City of Rochester as follows:

June 16, 2015

Section 1. Chapter 120 of the Municipal Code, Zoning Code, as amended, is hereby further amended by changing the zoning classification of the following parcel, constituting 4 Edgewood Park from R-2 Medium Density Residential District to C-2 Community Center District

LEGAL DESCRIPTION OF LANDS
TO BE REZONED R-2 TO C-2
#4 EDGEWOOD PARK
T.A. #120.430-0002-041

All that tract or parcel of land, situate in the City of Rochester, County of Monroe, State of New York, being part of Town Lot 63, Township 1 and being more particularly bounded and described as follows: Beginning at a point in the centerline of Edgewood Park (ROW Varies) at its intersection with the westerly extension of the north line of Lot 4 of the E.W. Thompson Subdivision, as filed in the Monroe County Clerk's Office in Liber 7 of Maps, Page 99, said intersection being the Point or Place of Beginning; thence

- 1) Easterly, along said extension and the north line of Lot 4, a distance of 66.0 feet to the northeast corner thereof; thence
- 2) Southerly, along the rear line of said Lot 4, a distance of 30.0 feet to the southeast corner thereof; thence
- 3) Westerly, along the south line of said Lot 4 and its extension, a distance of 66.0 feet to the said centerline of Edgewood Park; thence
- 4) Northerly, along said centerline, a distance of 30.0 feet to the Point or Place of Beginning.

Section 2. This ordinance shall take effect immediately.

Held in committee.

By Councilmember Haag
June 16, 2015

To the Council:

The Parks & Public Works Committee recommends for Adoption the following entitled legislation:

- | | |
|--------------|--|
| Int. No. 206 | Authorizing an agreement for the Arlington Street Rehabilitation Project |
| Int. No. 207 | Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$283,000 bonds of said City to finance the costs of construction of streets as part of the Arlington Street Rehabilitation Project |
| Int. No. 208 | Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$97,000 bonds of said City to finance the costs of construction of water mains as part of the Arlington Street Rehabilitation Project |

June 16, 2015

- | | |
|--------------|--|
| Int. No. 209 | Authorizing an amendatory professional services agreement for the Central Vehicle Maintenance Facility (CVMF) Underground Electrical Service Replacement Project |
| Int. No. 210 | Authorizing a professional services agreement for the La Avenida Streetscape Improvements Project Phase II |
| Int. No. 211 | Authorizing a professional services agreement for the Ryan Center Field Restoration and Water Park Improvements Projects |
| Int. No. 212 | Authorizing an agreement with Vanguard Engineering PC for resident project representation services for Hazardous Sidewalk Replacement Projects |
| Int. No. 213 | Accepting the donation of an easement at 737 West Main Street |
| Int. No. 214 | Authorizing agreements and appropriating funds for the Main Street Streetscape and Pedestrian Wayfinding Enhancement Project |
| Int. No. 215 | Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$106,000 bonds of said City to finance the costs of construction of streetscape improvements as part of the Main Street Streetscape and Pedestrian Wayfinding Enhancement Project |
| Int. No. 216 | Authorizing a professional services agreement for the Mt. Hope Avenue Phase 2 Improvements Project |
| Int. No. 217 | Authorizing agreements for environmental site assessment and remedial services |
| Int. No. 218 | Authorizing a professional services agreement for the environmental cleanup of City-owned land at 1200 East Main Street |
| Int. No. 219 | Authorizing receipt and use of funds for the Two Bridge Preventive Maintenance Project |

The Parks & Public Works Committee recommends for Consideration the following entitled legislation:

- | | |
|--------------|---|
| Int. No. 220 | Approving pavement width changes to East Broad Street, South Clinton Avenue and Mortimer Street |
| Int. No. 221 | Changing the traffic flow on East Broad Street from one-way westbound to two-way traffic |
| Int. No. 222 | Changing the traffic flow on South Clinton Avenue from one-way northbound to two-way traffic |
| Int. No. 223 | Approving pavement width changes on Lake Avenue |

Respectfully submitted,
Matt Haag
Elaine M. Spaul
Dana K. Miller

June 16, 2015

Loretta C. Scott
PARKS & PUBLIC WORKS COMMITTEE

Received, filed, and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-188,
Ordinance No. 2015-189 and
Ordinance No. 2015-190
Re: Agreement - Labella Associates,
D.P.C., Arlington Street
Rehabilitation

Council Priority: Jobs and Economic
Development

Transmitted herewith for your approval is legislation related to the Arlington Street Rehabilitation Project. This legislation will:

1. Establish \$50,000 as maximum compensation for an agreement with Labella Associates, D.P.C., Rochester, New York, for resident project representation (RPR) services;
2. Authorize the issuance of bonds totaling \$283,000 and appropriate the proceeds thereof to partially finance the street portion of the project; and
3. Authorize the issuance of bonds totaling \$97,000 and appropriate the proceeds thereof to partially finance the water portion of the project.

The Arlington Street Rehabilitation Project includes: new granite stone curbs, spot concrete sidewalk replacement, new driveway aprons, catch basin upgrades, and new water services and hydrant. The roadway will be milled and resurfaced with areas of reconstruction.

Bids for construction were received on May 19, 2015. The apparent low bid of \$318,914.22 was submitted by Hewitt Young Electric (Rochester, New York), which is 12% less than the engineer's estimate. An additional \$37,385.78 will be allocated for project contingencies, street lighting and tree plantings.

The funding sources for the project, based upon the bid amount, are as follows:

<u>Funding</u>	<u>Construction</u>	<u>RPR</u>	<u>Contingency</u>	<u>Total</u>
Street Bond	\$219,832.22	\$37,000.00	\$26,167.78	\$283,000.00
Water Bond	76,427.00	13,000.00	7,573.00	97,000.00
Rochester Pure Waters District (Ord. No. 2015-132)	22,655.00		2,245.00	24,900.00
2014-2015 Cash Capital			<u>1,400.00</u>	<u>1,400.00</u>
Total	<u>\$318,914.22</u>	<u>\$50,000.00</u>	<u>\$37,385.78</u>	<u>\$406,300.00</u>

June 16, 2015

Labella Associates was selected for RPR services through a request for proposal process, which is described in the attached summary. The agreement may extend until three months after completion and acceptance of a two year guarantee inspection of the project.

A public informational meeting on this project was held on September 24, 2014; meeting minutes are attached.

Construction is scheduled to commence in summer 2015 and be completed in fall 2015. The project will result in the creation and/or retention of the equivalent of 3.5 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-110

Ordinance No. 2015-188
(Int. No. 206)

Authorizing an agreement for the Arlington Street Rehabilitation Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with LaBella Associates DPC for Resident Project Representation (RPR) services for the Arlington Street Rehabilitation Project in a maximum amount of \$50,000. The agreement may extend until three (3) months after completion of a two year guarantee inspection of the project. The cost of said agreement shall be funded by \$37,000 from funds appropriated by a bond ordinance to be adopted for the street improvements of this project; and \$13,000 from funds appropriated by a bond ordinance to be adopted for the water improvements of this project.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2015-189
(Int. No. 207)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$283,000 bonds of said City to finance the costs of construction of streets as part of the Arlington Street Rehabilitation Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the costs of construction of streets as part of the Arlington Street Rehabilitation Project ("the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$406,300, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$97,000 bonds of the City to finance water main construction as part of said Project,

\$283,000 bonds of the City to finance street construction as part of said Project, \$24,900 in funds to be received from the Rochester Pure Waters District, and \$1,400 from 2014-15 Cash Capital and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$283,000 are hereby authorized to be issued, pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$283,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of the class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 20 of the Local Finance Law, is fifteen (15) years.

Section 5. Each of the bonds authorized by this Ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the City, payable as to both principal and interest by an ad valorem tax upon all the taxable real property within the City without limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. Subject to the provisions of this Ordinance and of said Law, and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of Sections 50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the City Council relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, and relative to providing for substantially level or declining debt service, prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, as well as to executing agreements for credit enhancement, are hereby delegated to the Director of Finance, as the Chief Fiscal Officer of the City.

Section 7. The validity of the bonds authorized by this Ordinance and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such Ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty (20) days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the Constitution.

June 16, 2015

Section 8. This Ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish a summary of the foregoing Ordinance, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "The Daily Record," a newspaper published in Rochester, New York, having a general circulation in the City and hereby designated the official newspaper of said City for such publication.

Passed unanimously.

Ordinance No. 2015-190
(Int. No. 208)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$97,000 bonds of said City to finance the costs of construction of water mains as part of the Arlington Street Rehabilitation Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the costs of construction of water mains as part of the Arlington Street Rehabilitation Project ("the "Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$406,300, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$97,000 bonds of the City to finance water main construction as part of said Project, \$283,000 bonds of the City to finance street construction as part of said Project, \$24,900 in funds to be received from the Rochester Pure Waters District, and \$1,400 from 2014-15 Cash Capital and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$97,000 are hereby authorized to be issued, pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$97,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of the class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a.1 of the Local Finance Law, is 40 years.

Section 5. Each of the bonds authorized by this Ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the City, payable as to both principal and interest by an ad valorem tax upon all the taxable real property within the City without limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

June 16, 2015

Section 6. Subject to the provisions of this Ordinance and of said Law, and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of Sections 50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the City Council relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, and relative to providing for substantially level or declining debt service, prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, as well as to executing agreements for credit enhancement, are hereby delegated to the Director of Finance, as the Chief Fiscal Officer of the City.

Section 7. The validity of the bonds authorized by this Ordinance and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such Ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty (20) days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish a summary of the foregoing Ordinance, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "The Daily Record," a newspaper published in Rochester, New York, having a general circulation in the City and hereby designated the official newspaper of said City for such publication.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-191
Re: Amendatory Agreement - Hunt
Engineers, Architects & Land
Surveyors, P.C., Central Vehicle
Maintenance Facility Underground
Electrical Service Replacements

Transmitted herewith for your approval is legislation establishing \$35,000 as maximum compensation for an amendatory agreement with Hunt Engineers, Architects & Land Surveyors, P.C. for resident project representation (RPR) services for the Central Vehicle Maintenance Facility Underground Electrical Service Replacements Project. The amendment will be financed from 2014-15 Cash Capital.

The original agreement with Hunt Engineers, Architects & Land Surveyors, P.C. was authorized after a request for proposal (RFP) process in March 2014 in the amount of \$67,000 (Ord. No. 2014-66). This amendment will increase maximum compensation to a total of \$102,000.

June 16, 2015

The original agreement provided for the following services:

- Program verification and schematic design
- Design development
- Contract documents
- Bid and award
- Construction administration

The amendatory agreement will fund:

- RPR services

Hunt Engineers, Architects & Land Surveyors, P.C. was selected for these services based on their familiarity with the project. A full justification for not issuing an RFP is attached.

The construction under this phase will include underground electric and related service replacements at Central Vehicle Maintenance Facility buildings 100 and 200. Proposed future phases would include underground and overhead service installations from building 200 to buildings 201, 300, 301, and 101.

The estimated construction cost for this phase is \$236,800. Construction is scheduled to begin in summer 2015 with completion in winter 2015. The agreement may extend until six months after completion and acceptance of the construction of the project.

The amendatory agreement will result in the creation and/or retention of the equivalent of 0.4 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-111

Ordinance No. 2015-191
(Int. No. 209)

Authorizing an amendatory professional services agreement for the Central Vehicle Maintenance Facility (CVMF) Underground Electrical Service Replacement Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement with Hunt Engineers, Architects & Land Surveyors PC for the Central Vehicle Maintenance Facility (CVMF) Underground Electrical Service Replacement Project for resident project representation services. The amendment shall increase the maximum amount by \$35,000 to a total of \$102,000. The agreement may extend until six (6) months after completion and acceptance of the construction of the Project. The cost of said agreement shall be funded from the 2014-15 Cash Capital allocation.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

June 16, 2015

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2015-192

Re: Agreement - Bergmann Associates,
P.C., La Avenida Streetscape
Improvements Phase II

Transmitted herewith for your approval is legislation establishing \$156,000 as maximum compensation for an agreement with Bergmann Associates, P.C. for resident project representation (RPR) services for the La Avenida Streetscape Improvements Phase II Project. The agreement will be funded from the bond appropriated via Ordinance No. 2012-448 for this purpose.

The project includes streetscape improvements and enhancements for North Clinton Avenue (Upper Falls Boulevard to Norton Street) to match the previously completed Phase I improvements. Improvements will include new ornamental street lighting with pedestrian level lighting, bicycle racks, planters, a bus shelter, enhanced crosswalks and new Americans with Disabilities Act compliant pedestrian ramps at all crossings, select curb and sidewalk repair, tree plantings, roadway restriping, four bump-outs, and a gateway feature at Norton Street. Bond Ordinance No. 2012-448 is fully funding this project as part of the Capital Project Acceleration Initiative Funding. Design services for the project were authorized via Ordinance No. 2013-102.

Bergmann Associates was selected to provide RPR services based on its familiarity with the project. A full justification for not issuing a request for proposals is attached. The agreement may extend until three months after completion and acceptance of a two year guarantee inspection of the project.

Bids for construction were received on May 19, 2015. The apparent low bid of \$1,032,552.65 was submitted by Sealand Contractors Corp., which is 2% less than the engineer's estimate. An additional \$61,447.35 will be allocated for project contingencies.

Construction will begin in summer 2015, with substantial completion in fall 2015. The project's construction and RPR services will result in the creation and/or retention of the equivalent of 13.5 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-112

Ordinance No. 2015-192
(Int. No. 210)

**Authorizing a professional services agreement for the La Avenida Streetscape
Improvements Project Phase II**

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into a professional services agreement between the City and Bergmann Associates PC for resident project representation services for the La Avenida Streetscape Improvements Phase II Project. The maximum amount shall be \$156,000. The

June 16, 2015

agreement may extend until three months after completion and acceptance of a two year guarantee inspection of the Project. Said amount shall be funded from Bond Ordinance No. 2012-448.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2015-193
Re: Agreement- Stantec Consulting
Services, Inc., Ryan Center Field
Restoration and Water Park
Improvements Projects

Transmitted herewith for your approval is legislation establishing \$60,000 as maximum compensation for an agreement with Stantec Consulting Services, Inc. for resident project representation (RPR) services for the Ryan Center Field Restoration and Water Park Improvements Projects. The agreements will be funded from 2011-12 Cash Capital, and may extend until three months after completion and acceptance of a two year guarantee inspection of the project.

The Ryan Center Field Restoration Project includes earthwork, soil screening, sod installation, storm sewer catch basins adjustment, chain link fencing, and sod area maintenance. Bids for construction of the Ryan Center Fields were received on May 6, 2015. The apparent low bid of \$297,500 was submitted by RAL Landscape which is 4% less than the engineer's estimate. An additional \$46,260 will be allocated for project contingencies. Construction is anticipated in summer 2015 with completion planned for fall 2015.

The Water Park Improvements Project involves work on the water park facilities at the Ryan Center, including drainage improvements and the replacement of an underground spray park controller system with a new aboveground system. Construction is anticipated for summer 2015 with planned completion in fall 2015, at an estimated cost of \$110,000.

Design services for the projects were provided by Stantec under term agreements authorized via Ordinance Nos. 2012-149 and 2014-346. Stantec was selected to provide RPR services based on its familiarity with the projects. A full justification for not issuing a request for proposals is attached.

The project's construction and RPR services will result in the creation and/or retention of the equivalent of 5.6 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-113

Ordinance No. 2015-193
(Int. No. 211)

June 16, 2015

Authorizing a professional services agreement for the Ryan Center Field Restoration and Water Park Improvements Projects

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into a professional services agreement between the City and Stantec Consulting Services Inc. for resident project representation services for the Ryan Center Field Restoration and Water Park Improvements Projects. The maximum amount shall be \$60,000. The agreement may extend until three months after completion and acceptance of a two year guarantee inspection of the Project. Said amount shall be funded from the 2011-12 Cash Capital allocation.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2015-194
Re: Agreement - Vanguard Engineering,
PC, Resident Project Representation
Services

Council Priority: Rebuilding and
Strengthening Neighborhood Housing

Transmitted herewith for your approval is legislation establishing \$475,000 as maximum compensation for an agreement with Vanguard Engineering, PC, Rochester, New York, for resident project representation (RPR) services for hazardous sidewalk replacement. The agreement will be funded from 2012-13 Cash Capital (\$276,675), 2015-16 Cash Capital (\$133,325), contingent upon adoption of the 2015-16 Budget, and a bond previously authorized for this purpose via Ordinance No. 2014-218 (\$65,000). The agreement will be for a term of three years and may extend until three months after completion and acceptance of a two year guarantee inspection of the projects covered by the agreement.

Vanguard Engineering will provide RPR services on a number of City hazardous sidewalk replacement contracts, which are bid annually. Typically, RPR services for City-designed construction projects are provided by either City personnel or private consultants on a "project by project" basis. During peak periods of the summer construction season, sufficient City personnel are not available to inspect all of the City's projects. Term RPR services enable consultants to be assigned as required to multiple hazardous sidewalk replacement projects.

Vanguard Engineering was selected for RPR services through a request for proposal process, which is described in the attached summary. Their services will begin in summer 2015.

The Hazardous Sidewalk Replacement Project and RPR services will result in the creation and/or retention of the equivalent of 5.2 full-time jobs.

June 16, 2015

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-114

Ordinance No. 2015-194
(Int. No. 212)

Authorizing an agreement with Vanguard Engineering PC for resident project representation services for Hazardous Sidewalk Replacement Projects

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with Vanguard Engineering PC for resident project representation services for Hazardous Sidewalk Replacement Projects in the maximum amount of \$475,000. The cost of the agreement will be funded from the 2012-13 Cash Capital allocation (\$276,675), 2015-16 Cash Capital allocation (\$133,325) contingent upon adoption, and the bond funds previously appropriated for this purpose in Ordinance No. 2014-218 (\$65,000).

Section 2. The agreement shall be for a term of three years and may extend until three months after completion and acceptance of a two year guarantee inspection of the Project.

Section 3. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-195
Re: Accepting Easement - 737 West
Main Street

Transmitted herewith for your approval is legislation authorizing the acceptance of a utility easement at 737 West Main Street.

During the review of a site plan for a Family Dollar store to be located at 715-737 West Main Street, at the corner of Edgewood Park, it was noted that some of the public amenities, such as a portion of the public sidewalk, a light pole and a fire hydrant, were outside the existing public right-of-way.

When Edgewood Park was reconstructed in 2001, it was proposed to widen the existing public right-of-way from 22 feet to 24 feet. At the February 2001 City Council meeting, Council approved Ordinance No. 2001-52 which authorized the dedication of additional public right-of-way for Edgewood Park, with the dedication taking effect upon acquisition of the parcels or easements by the City. The proposed widening area consisted of a two feet wide taking along the west property line of the site, a seven feet triangle at the corner, and included an additional easement area around the

June 16, 2015

new street lighting pole located near West Main Street. The property taking for this site was unacceptable to the owner at that time, and was supposed to be acquired through condemnation proceedings which were never done. A review of Ordinance No. 2001-52 shows that we may commence with the fee takings, however the easement was never properly described, so we must seek authorization to accept the donation of the easement from the developer.

Property information for the utility easement is:

<u>Address</u>	<u>Property Owner</u>	<u>Sq. Ft.</u>
737 West Main Street	Ann M. Haag	68

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-115

Ordinance No. 2015-195
(Int. No. 213)

Accepting the donation of an easement at 737 West Main Street

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby approves the acceptance of the donation of a permanent easement over approximately 68 square feet of the parcel at 737 West Main St., SBL #120.43-2-8, owned by Ann M. Haag, for public sidewalk and utilities.

Section 2. This ordinance shall take effect immediately

Passed by the following vote:

Ayes – President Scott, Councilmembers Haag, McFadden, Miller, Ortiz, Palumbo, Patterson, Spaul
- 8.

Nays – Councilmember Conklin – 1.

Abstains – 0.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2015-196 and
Ordinance No. 2015-197
Re: Agreement - Stantec Consulting,
Inc., Main Street Streetscape and
Pedestrian Wayfinding Enhancement

Council Priority: Creating and Sustaining
a Culture of Vibrancy

June 16, 2015

Transmitted herewith for your approval is legislation related to the Main Street Streetscape and Pedestrian Wayfinding Enhancement Project. This legislation will:

1. Authorize the Mayor to enter into agreements with New York State Department of Transportation (NYSDOT) necessary to participate in and administer the project;
2. Appropriate \$199,000 in anticipated reimbursements from the Federal Highway Administration (FHWA) to finance design;
3. Authorize the issuance of bonds totaling \$106,000 and appropriating the proceeds thereof to partially finance the local share of the design project;
4. Authorize the receipt and use of \$106,500 in anticipated private contributions to finance design, construction and inspection services; and
5. Establish \$318,000 as maximum compensation for an agreement with Stantec Consulting Services, Inc., Rochester, New York, for design services related to the project.

The cost of the agreement will be funded from FHWA anticipated reimbursements (\$199,000), anticipated private contributions (\$13,000), and the bond issuance (\$106,000), as appropriated herein. Federal aid will reimburse the City for 63% of eligible project costs; anticipated private contributions and local funds will support the balance. The term of the agreement is six months after the completion and acceptance of the construction of the project. In the event that construction is not undertaken, the agreement will terminate one year after the completion and acceptance of the design documents.

Ordinance No. 2014-131 authorized the application to and agreement(s) with NYSDOT for funding through the Transportation Alternatives Program for the implementation of streetscape improvements and pedestrian wayfinding signage on Main Street.

The streetscape improvements will provide enhancements on Main Street between the Genesee River and Franklin Street, including Liberty Pole Plaza. The streetscape improvements will consider a full range of streetscape elements to meet the project goals, including: sidewalks; street trees; on-street parking; bicycle facilities; lighting; benches, trash receptacles, planters and other pedestrian amenities; and green infrastructure practices. In addition, the project will implement the first phase of the Center City Pedestrian Wayfinding System, based on an award-winning plan completed in 2013. The new signage will extend the length of Main Street from Canal Street to Alexander Street.

Center City businesses and property owners have committed \$106,500 to funding a portion of the project. This private commitment was critical to the success of the grant application. A list of private contributors is attached.

Stantec Consulting, Inc. was selected through a request for proposal process, which is described in the attached summary.

Design services are anticipated to begin in July 2015. Construction is anticipated to begin in spring 2017 with completion in summer 2017. The design phase of this project will result in the creation and/or retention of the equivalent of 3.5 full-time jobs.

Respectfully submitted,
Lovely A. Warren

June 16, 2015

Mayor

Attachment No. AO-116

Ordinance No. 2015-196
(Int. No. 214)

Authorizing agreements and appropriating funds for the Main Street Streetscape and Pedestrian Wayfinding Enhancement Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with Stantec Consulting Services Inc. for design services for the Main Street Streetscape and Pedestrian Wayfinding Enhancement Project (the "Project") in a maximum amount of \$318,000. The cost of said agreement shall be funded by \$199,000 from anticipated reimbursements to be received from the Federal Highway Administration; \$13,000 from anticipated private contributions and \$106,000 from funds appropriated by a bond ordinance to be adopted for this Project. The term of the agreement shall extend to six months after the completion and acceptance of the construction of the project. In the event that construction is not undertaken, the agreement shall terminate one year after the completion and acceptance of the design documents.

Section 2. The Mayor is hereby authorized to enter into agreements with the New York State Department of Transportation to participate in and administer the Project.

Section 3. The sum of \$106,500 is hereby appropriated from anticipated reimbursements to be received from private contributions to finance a portion of the costs of the Project. The Mayor is hereby authorized to enter into an agreement for the receipt and use of said funds.

Section 4. The sum of \$199,000 is hereby appropriated from anticipated reimbursements to be received from the Federal Highway Administration to finance a portion of the costs of the Project. The Mayor is hereby authorized to enter into an agreement for the receipt and use of said funds.

Section 5. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2015-197
(Int. No. 215)

Bond Ordinance of the City of Rochester, New York authorizing the issuance of \$106,000 bonds of said City to finance the costs of construction of streetscape improvements as part of the Main Street Streetscape and Pedestrian Wayfinding Enhancement Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The City of Rochester, in the County of Monroe, New York (herein called "City"), is hereby authorized to finance the costs of construction of streetscape improvements as part of the Main Street Streetscape and Pedestrian Wayfinding Enhancement Project ("the Project"). The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs

incidental thereto and the financing thereof, is \$411,500, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$106,000 bonds of the City to finance construction of streetscape improvements as part of said Project, \$199,000 in funds to be received from the Federal Highway Administration, \$106,500 in anticipated private contributions for the Project, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$106,000 are hereby authorized to be issued, pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$106,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of the class of objects or purposes described in Section 1 of this Ordinance, within the limitations of 11.00 a. 20 of the Local Finance Law, is fifteen (15) years.

Section 5. Each of the bonds authorized by this Ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the City, payable as to both principal and interest by an ad valorem tax upon all the taxable real property within the City without limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. Subject to the provisions of this Ordinance and of said Law, and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of Sections 50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the City Council relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, and relative to providing for substantially level or declining debt service, prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, as well as to executing agreements for credit enhancement, are hereby delegated to the Director of Finance, as the Chief Fiscal Officer of the City.

Section 7. The validity of the bonds authorized by this Ordinance and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such Ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty (20) days after the date of such publication, or

June 16, 2015

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish a summary of the foregoing Ordinance, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "The Daily Record," a newspaper published in Rochester, New York, having a general circulation in the City and hereby designated the official newspaper of said City for such publication.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2015-198
Re: Agreement - Bergmann Associates,
P.C., Mt. Hope Avenue Phase 2
Improvements Project

Transmitted herewith for your approval is legislation establishing \$35,000 as maximum compensation for an agreement with Bergmann Associates, P.C., Rochester, New York, for additional studies and preliminary design of the Mt. Hope Avenue Phase 2 Improvements Project (south city line to Rossiter Road). The cost of the agreement will be financed from 2014-15 Cash Capital.

The project includes traffic re-evaluation and preliminary design of Mt. Hope Avenue between the south city line and Rossiter Road. Since the final design report was completed in 2009, improvements have been made to East Henrietta Road (South Avenue to Mt. Hope Avenue) and Mt. Hope Avenue (Rossiter Road to Elmwood Avenue). In addition, significant improvements, including the construction of a new on-ramp to I-390 from Kendrick Road, have been made in the vicinity of the I-390 interchanges with New York State Routes 15 and 15A (West and East Henrietta Roads). The University of Rochester's College Town development has also occurred. Together, these changes are likely to have affected traffic volumes along the Phase 2 segment of the Mt. Hope Avenue corridor.

Bergmann Associates will provide additional traffic studies and preliminary engineering to obtain design approval from the New York State Department of Transportation and the Federal Highway Administration. They were selected for these services based upon previously completed design services for the Mt. Hope Avenue Phase 1 Project and their familiarity with the anticipated scope of work. The term of the agreement will be six months after completion and acceptance of the studies.

The traffic study will begin in early fall, with completion scheduled for October 2015. The project will result in the creation and/or retention of the equivalent of 0.3 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-198
(Int. No. 216)

**Authorizing a professional services agreement for the Mt. Hope Avenue Phase 2
Improvements Project**

June 16, 2015

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into a professional services agreement between the City and Bergmann Associates PC for additional studies and preliminary design services for the Mt. Hope Avenue Phase 2 Improvements Project. The maximum amount shall be \$35,000. Said amount shall be funded from 2014-15 Cash Capital allocation. The agreement may extend until six months after completion and acceptance of the studies.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2015-199

Re: Agreements - Environmental Site
Assessment and Remedial Services

Transmitted herewith for your approval is legislation authorizing term agreements with the following companies for environmental assessment, investigation, and remedial phase services:

<u>Company</u>	<u>Address</u>
Barton & Loguidice	11 Centre Park, Suite 203, Rochester
Bergmann Associates	28 East Main Street, Rochester
Day Environmental, Inc.	1563 Lyell Avenue, Rochester
LaBella Associates, P.C.	300 State Street, Suite 201, Rochester
Leader Professional Services, Inc.	704 South Clinton Avenue, Rochester
LiRo Engineers, Inc.	250 Mill Street, Rochester
Lu Engineers	175 Sully's Trail, Pittsford
O'Brien & Gere Engineers, Inc.	400 Andrews Street, Harro East Building, Rochester
Ravi Engineering & Land Surveying, P.C.	1100 University Avenue, Suite 108, Rochester
Stantec Consulting Services, Inc.	61 Commercial Street, Rochester

Projects performed as needed under these unit rate agreements will be financed from the annual budgets of the departments using the services or from capital funds appropriated for specific environmental, construction and redevelopment projects.

Environmental site assessments are a prerequisite for properties that are involved in real estate transactions. Such assessments allow a prospective buyer to identify suspect environmental conditions, consider potential remediation costs during negotiations, plan for cleanup during redevelopment and avoid or limit liability for these costs.

Under the proposed agreements the following Phase I site assessment services will be provided:

1. A review of title and deed history records;

June 16, 2015

2. An examination of other public records, including aerial photographs, that may contain relevant environmental information;
3. Governmental agency review (New York State Department of Environmental Conservation, City of Rochester, Monroe County Department of Health, etc.);
4. An inspection of the property and observation of adjacent properties; and
5. The preparation of a report with recommendations based on the findings.

If requested by the City, additional environmental services will be provided which may include:

1. Sampling and laboratory analysis of air, soil, wastes, groundwater and surface waters;
2. Subsurface soil, bedrock, and geotechnical investigations;
3. Environmental data analysis, modeling, survey, and GIS/GPS mapping;
4. Feasibility studies, analyses of remedial alternatives, and remedial cost estimating; and
5. Environmental planning, design, and implementation of remedial actions and pollution prevention and/or reduction measures.

The City routinely performs site assessments prior to acquiring commercial and industrial properties. The most recent agreements for these assessments were authorized by the City Council on April 25, 2012 via Ordinance No. 2012-147.

In anticipation of the expiration of the current agreements, the Department of Environmental Services advertised a request for proposals on April 2, 2015, resulting in proposals from 17 consulting firms: AFI Environmental, Arcadis, Barton & Loguidice, Bergmann Associates, Clough, Harbour & Associates, Day Environmental, GHD, KHEOPS, LaBella Associates, Leader Professional Services, LiRo Engineers, Lu Engineers, Matrix Environmental, O'Brien & Gere Engineers, Ravi Engineering, Stantec Consulting Services and Terracon. We are recommending agreements with 10 of these firms.

Under the agreements, when environmental assessment, environmental analysis, or environmental remediation services are required, proposals from one or more of these companies will be requested. The selection of a specific company will depend upon the type of environmental services that are required, the company's ability to meet the City's schedule and the quality and cost of its proposal.

The number and types of projects will depend on the needs of the various departments that are requiring assessment, testing, and remedial actions. The cost of the project specific proposals will be based on the unit prices specified in each company's agreement with the City.

Each of the agreements will have an initial term of one year with provisions for renewal for two additional one-year periods based on mutual written agreement. If the agreements are renewed, adjustment to the specific unit prices for the second year will be permitted subject to the City's approval.

Respectfully submitted,
Lovely A. Warren

June 16, 2015

Mayor

Attachment No. AO-117

Ordinance No. 2015-199
(Int. No. 217)

Authorizing agreements for environmental site assessment and remedial services

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into agreements with the following companies for environmental site assessment and remedial services as required by the City:

<u>Company</u>	<u>Address</u>
Barton & Loguidice	11 Centre Park, Suite 203, Rochester
Bergmann Associates PC	28 E. Main Street, Rochester
Day Environmental, Inc.	1563 Lyell Avenue, Rochester
LaBella Associates, P.C.	300 State Street, Suite 201, Rochester
Leader Professional Services, Inc.	704 South Clinton Avenue, Rochester
LiRo Engineers, Inc.	250 Mill Street, Rochester
Lu Engineers	175 Sully's Trail, Pittsford
O'Brien & Gere Engineers, Inc.	400 Andrews Street, Harro East Building, Rochester
Ravi Engineering & Land Surveying, P.C.	1100 University Avenue, Suite 108, Rochester
Stantec Consulting Services, Inc.	61 Commercial Street, Rochester

Section 2. The agreements shall extend for a term of one year with an option to extend for two additional one year periods, and shall obligate the City to pay specified unit prices in an amount not to exceed the amount budgeted for such services, which shall be funded from the annual Budget of the Department of Environmental Services, or other Departments using these services, or from capital project appropriations. If extended, the unit prices may be adjusted with the approval of the City.

Section 3. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2015-200
Re: Agreement - Bergmann Associates,
PC, 1200 East Main Street
Environmental Cleanup

Council Priority: Deficit Reduction and
Long Term Financial Stability; Rebuilding

and Strengthening Neighborhood Housing;
Jobs and Economic Development

Transmitted herewith for your approval is legislation related to the environmental cleanup of City-owned land at 1200 East Main Street. This legislation will establish \$475,000 as maximum compensation for an agreement with Bergmann Associates, Rochester, New York, for subsurface soil and groundwater remediation services in connection with environmental contamination present at 1200 East Main Street. The agreement will have an initial term of three years with provision for renewal for an additional two-year period.

The cost of this agreement will be financed from the following funding sources:

1. \$117,409 in previously authorized New York State (NYS) Environmental Restoration Program grant funds (Ord. No. 2007-382);
2. \$293,630 in previously authorized NYS Environmental Restoration Program grant funds (Ord. No. 2013-422); and
3. \$63,961 in Prior Years' Cash Capital.

The balance of the grant funds authorized in Ordinance No. 2013-422 (\$38,970) will be used to reimburse the City for staff costs required to conduct the project.

The proposed agreement is necessary in order to complete remediation previously started by Bergmann Associates under an agreement that was authorized by City Council in November 2011 (Ordinance No. 2011-354). In the course of completing the previously authorized cleanup services, significantly greater quantities of petroleum contamination in free phase form was encountered in fractured bedrock beneath the site. As a result, the groundwater cleanup approach approved by the NYS Department of Environmental Conservation (DEC) and being implemented by Bergmann proved inadequate.

During 2012 and 2013, the City worked with the NYSDEC to develop a more robust, two-step groundwater cleanup plan involving the addition of vacuum enhanced groundwater extraction technologies. The City requested \$332,600 in additional NYS Environmental Restoration Program grant funding from the NYSDEC to finance the additional cleanup. The grant request was approved by the NYSDEC in September 2013, and the City received an executed grant contract in June 2014.

Because Bergmann's agreement expired in December 2013 and the revised cleanup plan was more extensive and included additional technologies, the Department of Environmental Services (DES) determined that it was appropriate to issue a new request for proposals (RFP) for the cleanup services. In February 2015, DES issued an RFP as described in the attached summary.

Under the proposed agreement, Bergmann will complete the necessary remediation tasks required to secure a NYSDEC technical completion letter and State environmental indemnification for the site. These tasks include:

1. The installation, operation and maintenance of the proposed vacuum enhanced groundwater extraction system to remove free phase petroleum which will be followed by an oxygen injection remediation system to treat dissolved groundwater contamination;

June 16, 2015

2. Assisting City Department of Environmental Quality personnel with required system inspection, data collection, site media sampling, data digestion and periodic report preparation; and
3. Providing the necessary professional and technical personnel to complete all project work plans, GIS site mapping and surveying, and to prepare the required site final engineering report(s), and environmental easement and site management plan.

The project schedule with anticipated completion dates is as follows:

- Execution of proposed consultant agreement with Bergmann - July 2015
- Preparation and NYSDEC approval of revised remedial work plan - September 2015
- Installation and operation of Vacuum Enhanced Groundwater Extraction System - September 2016
- Installation and operation of Oxygen Injection System - March to September 2018 (18-24 months)
- Preparation and NYSDEC approval of Final Remedial Construction and Closure Report - June to November 2018

It is anticipated that remedial activities will be completed by December 2018, finishing the last step in the environmental cleanup process for this property.

This phase of the project results in the creation and/or retention of the equivalent of 4.7 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-118

Ordinance No. 2015-200
(Int. No. 218)

Authorizing a professional services agreement for the environmental cleanup of City-owned land at 1200 East Main Street

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into a professional services agreement between the City and Bergmann Associates PC for the environmental cleanup of City-owned land at 1200 East Main Street. The maximum amount shall be \$475,000. Said amount shall be funded as follows: \$117,409 in NYS Environmental Restoration Program grant funds appropriated by Ordinance No. 2007-382; \$293,630 in NYS Environmental Restoration Program grant funds appropriated by Ordinance No. 2013-422; and \$63,961 in Prior Years Cash Capital. The agreement will have a term of three years with provisions for renewal for an additional two-year period.

June 16, 2015

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2015-201
Re: Grant Acceptance - Two Bridge
Preventive Maintenance Project

Transmitted herewith for your approval is legislation authorizing the receipt and use of \$10,500 in anticipated reimbursements from the New York State Department of Transportation's Marchiselli Aid Program to finance portions of the Two Bridge Preventive Maintenance Project.

The project included maintenance related repairs to the Court Street Bridge over the Genesee River and the East Main Street Bridge over the CSX railroad tracks. Bridge improvements included minor deck and pier repairs, painting, joint replacements, bearing replacements, and curb repairs. The Marchiselli Aid appropriated herein will reduce the local share of the construction costs.

Project participation and design services were authorized on June 19, 2012 (Ord. No. 2012-255). The resident project representation services and construction funding were authorized via Ordinance Nos. 2013-97 and 2013-361.

Construction was completed in late fall 2013 at a cost of \$564,235, resulting in the creation and/or retention of 6 full-time jobs.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-201
(Int. No. 219)

Authorizing receipt and use of funds for the Two Bridge Preventive Maintenance Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement for the receipt and use of \$10,500 of anticipated reimbursements to be received from the New York State Department of Transportation Marchiselli Aid Program to finance a portion of the costs of the Two Bridge Preventive Maintenance Project, and said amount is hereby appropriated for said project.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2015-202,
Ordinance No. 2015-203 and
Ordinance No. 2015-204
Re: Center City Two-Way Conversion
Project Phase II

Transmitted herewith for your approval is legislation related to the Center City Two-Way Conversion Project Phase II as follows:

1. Authorize pavement width changes on East Broad Street as follows:
 - (a) Along the south curbline, a variable widening of 0 feet to 10 feet, from the existing variable width of 48 feet to 58 feet, to a proposed variable width of 58 feet to 66 feet, starting at Bausch & Lomb Way and ending 205 feet east of Bausch & Lomb Way; and
 - (b) Along the south curbline, within the area described above, an additional widening of 8 feet from the existing variable width of 48 feet to 58 feet, to a proposed variable width of 66 feet to 74 feet, starting at 10 feet east of Bausch & Lomb Way and ending 135 feet east of Bausch & Lomb Way.
2. Authorize a pavement width change on South Clinton Avenue as follows:
 - (a) Along the west curbline, a widening of 8 feet, from the existing width 32 feet to a proposed width of 40 feet, starting at East Broad Street and ending 22 feet north of East Broad Street.
3. Authorize a pavement width change on Mortimer Street as follows:
 - (a) Along the south curbline, a narrowing of 8 feet, from the existing width 24 feet to a proposed width of 16 feet, starting at North Clinton Avenue and ending 22 feet west of North Clinton Avenue.
4. Authorize a change in the direction of traffic flow on East Broad Street between South Clinton Avenue and Stone Street from one-way westbound traffic to two-way traffic.
5. Authorize a change in the direction of traffic flow on South Clinton Avenue between East Main Street and East Broad Street from one-way northbound traffic to two-way traffic.

Phase I of the Center City Two-Way Conversion Project provided for two-way traffic on Clinton Avenue and St. Paul Street north of Main Street. Phase II will address South Clinton Avenue and the portion of Broad Street from South Clinton Avenue to Stone Street. Work on South Clinton Avenue will include milling and resurfacing of the pavement; spot curb replacements; repair; adjustment and repair of manholes, receiving basins, and water valve castings; replacement of traffic markings; and new traffic signs as necessary.

June 16, 2015

Broad Street (from South Clinton Avenue to Stone Street), currently one-way west bound, will be converted to two-way traffic. Associated work will include: milling and resurfacing of the pavement from South Clinton Avenue to South Avenue; curblin modifications; installation of traffic signal poles and modifications to existing traffic signal equipment; adjustment and repair of manholes, receiving basins, and water valve castings as necessary for the milling and resurfacing; replacement of traffic markings; and new traffic signs as necessary.

This federal aid project will be administered by the City through the New York State Department of Transportation (NYSDOT). Agreements with the NYSDOT and the approval of a design agreement with LaBella Associates, P.C , as well as appropriating Federal Highway Administration (FHWA) funds to finance a portion of the cost of design services was authorized by City Council in January 2014 (Ord. No. 2014-15).

The change in pavement width on East Broad Street is to have enough pavement for two-way traffic. The additional eight feet on East Broad Street is to install a recessed parking lane along the south side of the street.

The change in pavement width on South Clinton Avenue is to remove the curbed bump-out at the northwest corner of South Clinton Avenue and East Broad Street. This is necessary for the conversion of South Clinton Avenue to two-way traffic.

The change in pavement width on Mortimer Street is to install a curbed bump-out at the southwest corner of Mortimer Street with North Clinton Avenue. This is to prevent vehicles from attempting to make a right-hand turn from Mortimer Street onto North Clinton Avenue from the south curblin parking lane.

The pavement width changes will be presented for endorsement at the June 2, 2015 Traffic Control Board meeting, and a public meeting will be held on June 12, 2015. Minutes from the latter meeting will be forwarded to the City Clerk.

It is anticipated that the State will give authorization to bid the project and that construction will begin in fall 2015 with substantial completion by spring 2016.

A public hearing on the pavement width changes and the traffic flow changes is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-119

Ordinance No. 2015-202
(Int. No. 220)

Approving pavement width changes to East Broad Street, South Clinton Avenue and Mortimer Street

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby approves the following changes in the pavement width of East Broad Street, South Clinton Avenue and Mortimer Street

June 16, 2015

1. Authorize pavement width changes on East Broad Street as follows:
 - (a) Along the south curbline, a variable widening of 0 feet to 10 feet, from the existing variable width of 48 feet to 58 feet, to a proposed variable width of 58 feet to 66 feet, starting at Bausch & Lomb Way and ending 205 feet east of Bausch & Lomb Way; and
 - (b) Along the south curbline, within the area described above, an additional widening of 8 feet from the existing variable width of 48 feet to 58 feet, to a proposed variable width of 66 feet to 74 feet, starting at 10 feet east of Bausch & Lomb Way and ending 135 feet east of Bausch & Lomb Way.
2. Authorize a pavement width change on South Clinton Avenue as follows:
 - (a) Along the west curbline, a widening of 8 feet, from the existing width 32 feet to a proposed width of 40 feet, starting at East Broad Street and ending 22 feet north of East Broad Street.
3. Authorize a pavement width change on Mortimer Street as follows:
 - (a) Along the south curbline, a narrowing of 8 feet, from the existing width 24 feet to a proposed width of 16 feet, starting at North Clinton Avenue and ending 22 feet west of North Clinton Avenue.

Section 2. The changes shall be made in accordance with plans and specifications approved by the City Engineer, who may make reasonable modifications to such plans.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2015-203
(Int. No. 221)

Changing the traffic flow on East Broad Street from one-way westbound to two-way traffic

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby approves a change in the direction of the traffic flow on a portion of East Broad Street between South Clinton Avenue and Stone Street from one-way westbound to two-way traffic.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2015-204
(Int. No. 222)

Changing the traffic flow on South Clinton Avenue from one-way northbound to two-way traffic

June 16, 2015

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby approves a change in the direction of the traffic flow on a portion of South Clinton Avenue between East Main Street and East Broad Street from one-way northbound to two-way traffic

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2015-205

Re: Lake Avenue Improvement Project

Transmitted herewith for your approval is legislation related to the Lake Avenue Improvement Project. This legislation will:

1. Authorize pavement width changes on Lake Avenue as follows:
 - (a) A variable widening of 0 feet to 8 feet, from the existing width of 44 feet and tapering to a proposed width of 52 feet, starting 1,300 feet north of Winchester Road and ending 1,590 feet north of Winchester Road;
 - (b) A widening of 8 feet from the existing width of 44 feet to a proposed width of 52 feet, starting at the above point and ending 1,730 feet north of Winchester Road; and
 - (c) A variable widening of 12 feet to 0 feet, from the proposed width of 56 feet and tapering to the existing width of 44 feet starting at the above point and ending 2,080 feet north of Winchester Road.
2. Authorize the acquisition by donation, negotiation or condemnation of two utility easements.

This Lake Avenue Improvement Project is a federal aid project administered by the City through the New York State Department of Transportation (NYSDOT). The City is qualified to receive up to 80% of the eligible project costs from the Federal Highway Administration (FHWA) with the remaining 20% being a local share.

In addition to pavement width changes, this project includes street reconstruction, new curbing, sidewalks, limited water main and services, hydrants, receiving basins and a street lighting system. The project is designed by T.Y. Lin International, as authorized by City Council in May 2011 (Ord. No. 2011-151).

The change in pavement width is for the installation of a pedestrian refuge island at St. Bernard's Park. Residents and visitors using Regional Transit Service buses cross Lake Avenue to access the southbound bus stop; providing a refuge island will improve safety by allowing them to cross half of Lake Avenue at a time.

June 16, 2015

The utility easements will provide for the installation of traffic signals at the intersection of Lake Avenue and Merrill Street and at the entrance to Holy Sepulcher Cemetery. The owners of the property required for the Merrill Street signal have tentatively agreed to donate the easement. The signal at the Cemetery is privately owned by Holy Sepulcher Cemetery, and is maintained by Monroe County Department of Transportation at the owner's cost. Monroe County has decided that the signal needs to be replaced, and the owners would like to have this work done as part of the project, at their cost. One of the stipulations of having the signal included in the street project is that the easement needed to install it be donated. In order to have the signal work included in the project, the Cemetery is planning to fund the signal replacement through a Local Improvement Ordinance that will be requested in future legislation.

Property information is:

<u>Address</u>	<u>Property Owner</u>	<u>Sq. Ft.</u>	<u>Value</u>
2038 Lake Avenue	Mark F. Bianca and John M. Scatigno	495	N/A
2270 Lake Avenue	Holy Sepulcher Cemetery	2,888	N/A

The total funding required for closing costs, legal fees, and if the Merrill Street signal easement is acquired through negotiation or condemnation, is estimated not to exceed \$2,250 and will be funded from the FHWA authorized in Ordinance No. 2010-257 (\$1,800) and 2011-12 Cash Capital (\$450). The pavement width changes will be presented for endorsement at the June 2, 2015 Traffic Control Board meeting, and the Board's decision will be forwarded to City Council. In addition, a public meeting will be held on June 10, 2015, and the meeting minutes will be forwarded to City Council.

Construction is anticipated to begin in fall 2015, with substantial completion in the spring 2016.

A public hearing on the pavement width changes is required.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-120

Ordinance No. 2015-205
(Int. No. 223)

Approving pavement width changes on Lake Avenue

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby approves the following changes in the pavement width of Lake Avenue:

Pavement width changes on Lake Avenue as follows:

1. A variable widening of 0 feet to 8 feet, from the existing width of 44 feet and tapering to a proposed width of 52 feet, starting 1,300 feet north of Winchester Road and ending 1,590 feet north of Winchester Road; and

June 16, 2015

2. A widening of 8 feet from the existing width of 44 feet to a proposed width of 52 feet, starting at the above point and ending 1,730 feet north of Winchester Road; and
3. A variable widening of 12 feet to 0 feet, from the proposed width of 56 feet and tapering to the existing width of 44 feet starting at the above point and ending 2,080 feet north of Winchester Road.

Section 2. The changes shall be made in accordance with plans and specifications approved by the City Engineer, who may make reasonable modifications to such plans.

Section 3. The Council hereby approves the acquisition by donation, negotiation or condemnation of two utility easements along Lake Avenue as follows:

<u>Address</u>	<u>Property Owner</u>	<u>SBL#</u>	<u>Sq. Ft.</u>
2038 Lake Avenue	Mark F. Bianca, & John M. Scatigno	075.76-1-6	495
2270 Lake Avenue	Holy Sepulchre Cemetery	075.52-1-1	2,888

The total cost for closing costs, legal fees, and acquisition, shall not exceed \$2,250 and shall be funded from the Federal Highway Authority aid appropriated in Ordinance No. 2010-257 (\$1,800) and 2011-12 Cash Capital (\$450).

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember McFadden
June 16, 2015

To the Council:

The Public Safety, Youth & Recreation Committee recommends for Adoption the following entitled legislation:

Int. No. 224	Authorizing an amendatory professional services agreement for physical training services
Int. No. 225	Authorizing a grant agreement for the Assistance to Firefighters Grant and appropriating funds
Int. No. 226	Authorizing an amendatory professional services agreement for the Youth Voice One Vision Program
Int. No. 227	Establishing maximum compensation for an agreement for youth internships at the Rochester Public Market
Int. No. 228	Authorizing an agreement with Monroe County for funding of youth recreation and youth development programming

June 16, 2015

Int. No. 229	Establishing maximum compensation for veterinary services agreements and appropriating funds
Int. No. 230	Authorizing an agreement and an amendatory agreement for veterinary services
Int. No. 231	Authorizing agreements for the 2015 Justice Assistance Grant Program
Int. No. 232	Authorizing an agreement with the Rochester Institute of Technology, Center for Public Safety Initiatives for the receipt and use of a Project Safe Neighborhoods grant and amending the Budget

Respectfully submitted,
Adam C. McFadden
Matt Haag
Elaine M. Spaul
Dana K. Miller
Loretta C. Scott
PUBLIC SAFETY, YOUTH & RECREATION COMMITTEE

Received, filed, and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-206
Re: Amendatory Agreement - Personal
Energy, Inc., Firefighter Recruit
Physical Fitness Training

Council Priority: Jobs and Economic
Development; Public Safety

Transmitted herewith for your approval is legislation establishing \$15,000 as maximum compensation for an amendatory agreement with Personal Energy, Inc., Rochester, New York, for continued physical fitness training consultation services for firefighter recruits preparing for the Candidate Physical Agility Test (CPAT). The proposed amendment will increase total compensation to \$47,500, and extend the term of the agreement through July 31, 2016. The agreement will be funded from the 2015-16 and 2016-17 Budgets of the Fire Department, contingent upon approval of said budgets.

In 2012, Personal Energy, Inc. was contracted for a one year pilot program at a cost of \$10,000. This agreement was amended to increase maximum compensation by \$22,500 and extend the term to November 12, 2015 (Ord. No. 2013-209). Given the successful outcomes experienced with the current provider, the Fire Department proposes to extend the agreement to provide these services to the last class that will be chosen from the current civil service firefighter list which expires in 2016.

Personal Energy, Inc. was selected through a request for proposal (RFP) process described in the attached summary. The assistance of a certified personal trainer to bolster the overall fitness of recruit class participants improves their ability to successfully complete the rigorous physical requirements of the Fire Academy and New York State mandated CPAT. A new RFP will be issued

June 16, 2015

for the 2017 fire recruit class chosen from the firefighter entrance exam to be administered in 2015-16.

Services provided by this contract include:

- Educating recruits on weight training and aerobic exercise routines that will assist them in a successful outcome on the CPAT;
- Training recruits how to do exercises correctly and how to prevent or reduce the risk of injuries;
- Providing consultation and evaluation of each Fire Academy recruit for training and preparation for the CPAT;
- Developing individual aerobic exercise programs for firefighter recruits; and
- Teaching sound and necessary nutrition practices that will lead to better performance and healthier participants.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-121

Ordinance No. 2015-206
(Int. No. 224)

Authorizing an amendatory professional services agreement for physical training services

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement between the City and Personal Energy, Inc. for physical training services for the Rochester Fire Department. The amendment shall increase maximum compensation by \$15,000 to a total of \$47,500. Said amount shall be funded from the 2015-16 and 2016-17 Budgets of the Rochester Fire Department, contingent upon adoption. The term of the agreement shall be extended through July 31, 2016.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-207
Re: Grant Acceptance- Assistance to

June 16, 2015

Firefighter Grant 2014

Council Priority: Public Safety

Transmitted herewith for your approval is legislation authorizing an agreement with the Federal Emergency Management Agency (FEMA) for the receipt and use of a \$126,773 grant under the Department of Homeland Security Emergency Preparedness Response Assistance to Firefighters Grant (AFG) Program. The personnel costs of \$93,216 and fringe benefits of \$33,557 for overtime back-fill is included in the 2015-16 Budget of the Fire Department and Undistributed Expenses, with a 10% match funded from Undistributed Expenses.

AFG provides funding to support firefighters by increasing the effectiveness of operations, health and safety programs, new apparatus, emergency medical service programs, and fire prevention and safety programs. This grant also includes funding for personnel costs to provide technician level trench rescue training.

The training will enhance the Fire Department's ability to sustain a highly trained and multi-disciplined technical rescue force to respond to incidents that involve victim entrapments by increasing the number of firefighters with New York State trench rescue certification. The grant will cover overtime-backfill costs for the training and two-thirds of fringe benefits.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-207
(Int. No. 225)

Authorizing a grant agreement for the Assistance to Firefighters Grant and appropriating funds

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with the Federal Emergency Management Agency for receipt and use of \$126,773 in funding under the Department of Homeland Security Emergency Preparedness Response Assistance to Firefighters Grant Program.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-208
Re: Amendatory Agreement - Danette
Campbell-Bell, Youth Voice One
Vision

June 16, 2015

Council Priority: Public Safety

Transmitted herewith for your approval is legislation establishing \$1,540 as maximum compensation for an amendatory agreement with Danette Campbell-Bell, West Henrietta, New York, to provide additional services related to the Youth Voice One Vision (YVOV) program. The original agreement established maximum compensation of \$5,000 for a one-year term from October 2014 through September 2015. The proposed amendment will increase maximum compensation by \$1,540, to a total of \$6,540. The cumulative amount of contracts with the vendor in the current fiscal year exceeds \$10,000, necessitating City Council approval of this agreement per Section 3-4 of the City Charter.

The funds for this increase will come from the 2014-15 Budget of the Department of Recreation and Youth Services, and were originally provided by a grant from the Rochester Area Community Foundation, appropriated via Ordinance No. 2014-263 on August 19, 2014.

The additional funds will provide 38.5 hours of program development and implementation services which are needed due to unanticipated City staff absence. The vendor was chosen for this work based on her ongoing familiarity with YVOV and her established relationships with the youth involved.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-208
(Int. No. 226)

Authorizing an amendatory professional services agreement for the Youth Voice One Vision Program

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an amendatory professional services agreement between the City and Danette Campbell-Bell for the Youth Voice One Vision Program. The amendment shall increase maximum compensation by \$1,540 to a total of \$6,540. Said amount shall be funded from the 2014-15 Budget of the Department of Recreation and Youth Services.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-209
Re: Agreement - Greentopia, Youth
Internships at the Public Market

Council Priority: Creating and Sustaining

June 16, 2015

a Culture of Vibrancy; Public Safety; Jobs
and Economic Development

Transmitted herewith for your approval is legislation establishing \$5,000 as maximum compensation for an agreement with Friends of the GardenAerial, Inc. d/b/a Greentopia, Rochester, New York, for youth internships at the Public Market. The cost of this agreement will be financed from the 2015-16 Budget of the Department of Recreation and Youth Services, contingent upon approval of said budget.

Under the program, three city-resident youth interns will work at the Rochester Public Market, assisting with the “veggie valet” service and acting as docents and ambassadors on Saturdays from June 20 to September 26, 2015. The vendor will provide job readiness training to the youth, and will monitor their performance.

This organization was selected for these services based on its successful 2014 season at the Public Market. A justification for not issuing a request for proposals is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-122

Ordinance No. 2015-209
(Int. No. 227)

**Establishing maximum compensation for an agreement for youth internships at the
Rochester Public Market**

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The sum of \$5,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an agreement between the City and Friends of the GardenAerial, Inc. dba Greentopia, for services related to youth internships at the Rochester Public Market. Said amount shall be funded from the 2015-16 Budget of the Department of Recreation and Youth Services contingent upon adoption. The agreement shall have a term of no more than one year.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-210
Re: Grant Acceptance - Monroe County,
Rochester-Monroe County Youth
Bureau

June 16, 2015

Council Priority: Support the Creation
of Effective Educational Systems

Transmitted herewith for your approval is legislation authorizing an agreement with the County of Monroe, on behalf of the Rochester-Monroe County Youth Bureau, for the receipt and use of \$63,055 to support recreation and positive youth development programming. These funds were anticipated and included in the 2015-16 Budget of the Department of Recreation and Youth Services.

The Rochester-Monroe County Youth Bureau annually receives funding from the New York State Office for Children and Family Services (OCFS) for youth development activities. Notification of the amount of State funding for calendar year 2015 was received on May 13, 2015 from the County. The grant must be expended by December 31, 2015. This will be year five of a five-year funding cycle by the County, which intends to issue a request for proposals in fall 2015 for youth services.

In 2014, 807 City recreation participants were served through this grant funding, and it is anticipated that 800 youth will be served in 2015.

The Youth Bureau, jointly established by the City and County, provides a County-wide planning and service delivery system devoted to the welfare and development of children and youth.

The most recent Council action on this item was in September 2014 via Ordinance No. 2014-304.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-210
(Int. No. 228)

Authorizing an agreement with Monroe County for funding of youth recreation and youth development programming

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is authorized to enter into an agreement with the County of Monroe (on behalf of the Rochester/Monroe County Youth Bureau) for the receipt and use of funds in the amount of \$63,055 to be used to fund youth recreation and youth development programming. The agreement shall have a term of January 1, 2015 to December 31, 2015.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-211
Re: Agreements - Veterinary Services
for Rochester Animal Services

Council Priority: Public Safety

Transmitted for your approval is legislation related to veterinary services for Rochester Animal Services (RAS). This legislation will:

1. Appropriate \$15,000 from the Animal Control Gifts Fund to partially support veterinary services; and
2. Establish \$45,000 as maximum compensation for agreements for veterinary services for the RAS shelter.

The cost of these agreements will be funded from the 2015-16 Budget of the Police Department (\$30,000), contingent upon adoption of said budget, and the Animal Control Gifts Fund (\$15,000), as appropriated herein. The term of the agreement will be for one year. The table below summarizes the use of these funds:

<u>Use</u>	<u>Police Budget</u>	<u>Gifts Fund</u>	<u>Total</u>
On-site vet services	\$21,000	\$15,000	\$36,000
Monroe Vet. Assoc.	8,000		8,000
Lollypop Farm	<u>1,000</u>	<u> </u>	<u>1,000</u>
Total	\$30,000	\$15,000	\$45,000

RAS utilizes agreements with outside veterinarians and veterinary technicians to increase surgical capacity, improve customer service, and provide veterinary coverage during absences for the regular veterinarian and veterinary technicians. The consultants will provide on-site veterinary services including, but not limited to: Examinations, treatments, vaccinations, and the surgical sterilization of animals in custody at the shelter on Verona Street. Consultants may also provide surgical sterilization for animals owned by City residents. Each of the consultants will provide services on a part-time or on-call basis.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No.2015-211
(Int. No. 229)

Establishing maximum compensation for veterinary services agreements and appropriating funds

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The sum of \$45,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for professional services agreements for veterinary services for the Animal Services Shelter. Said amounts shall be funded by \$30,000 from the 2015-16 Budget of the Police Department, contingent upon its adoption, and by \$15,000 from the Animal Control Gifts Fund, which amount is hereby appropriated for that purpose. The agreement shall have a term of one year.

Section 2. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

June 16, 2015

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2015-212

Re: Agreements - Monroe Veterinary
Associates, Veterinary Services for
Police K-9 Unit

Council Priority: Public Safety

Transmitted herewith for your approval is legislation related to agreements with Monroe Veterinary Associates. This legislation will:

1. Establish \$8,000 as maximum compensation for an amendatory agreement with Monroe Veterinary Associates DBA Stone Ridge Veterinary Hospital; and
2. Establish \$20,000 as maximum compensation for an agreement with Monroe Veterinary Associates DBA Stone Ridge Veterinary Hospital for veterinary services for dogs assigned to the K-9 unit of the Rochester Police Department.

The current agreement with Stone Ridge Veterinary Hospital was authorized via Ordinance No. 2013-342 and included maximum compensation of \$15,000 annually. The amendatory agreement will increase compensation by \$8,000 for a total of \$23,000, allowing for the payment of unanticipated expenses, including the initial examinations of three additional police dogs and a necessary surgery for a current member of the canine unit. The additional cost will be funded from the 2015-16 Budget of the Police Department, contingent upon its approval.

The new agreement with Stone Ridge Veterinary Hospital will have a term of one year, from September 1, 2015 through August 31, 2016, with the option to renew for up to three additional one year periods at a maximum cost of \$20,000 per year, contingent upon approval of future budgets.

Stone Ridge Veterinary Hospital has satisfactorily provided veterinary services to the K-9 unit for over 15 years. A request for proposals was issued in July 2012, posted on the City's website, and sent directly to 25 local veterinarians. Stone Ridge Veterinary Hospital was the only vendor to respond. Per the attached justification statement, a new RFP was not conducted due to the limited number of responses previously received.

Stone Ridge Veterinary Hospital will continue to provide immunizations and tests, medical care as needed, and examination of new police dogs before they are accepted by the Police Department for duty.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-123

June 16, 2015

Ordinance No. 2015-212
(Int. No. 230)

Authorizing an agreement and an amendatory agreement for veterinary services

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with Monroe Veterinary Associates DBA Stone Ridge Veterinary Hospital for veterinary services for the K-9 Unit of the Police Department. The amendment shall increase the maximum amount authorized by Ordinance No. 2013-342 by \$8,000 to a total of \$23,000. Said amount shall be funded from the 2015-16 Budget of the Rochester Police Department, contingent upon adoption.

Section 2. The Mayor is hereby authorized to enter into an agreement with Monroe Veterinary Associates DBA Stone Ridge Veterinary Hospital for veterinary services for the K-9 Unit of the Police Department. The maximum amount shall be \$20,000 per year. The term of the agreement shall be from September 1, 2015 to August 31, 2016, with three optional one year renewals. Said amount shall be funded from the 2015-16 Budget of the Rochester Police Department, and if extended, from subsequent Budgets of the Rochester Police Department contingent upon adoption.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-213
Re: Agreement - US Department of
Justice, 2015 Justice Assistance
Grant

Council Priority: Public Safety

Transmitted herewith for your approval is legislation related to the 2015 Justice Assistance Grant. This legislation will:

1. Authorize an agreement with the US Department of Justice for the receipt and use of the 2015 Justice Assistance Grant in the amount of \$174,090; and
2. Authorize an agreement with the County of Monroe for the distribution and use of \$78,340.50 of the grant for support of the "Operation Nightwatch" program.

The County intends to use its share of this grant to support "Operation Nightwatch," a program of the Probation Department which follows up on probationers' evening curfews.

The City's share (\$95,749.50) will be used to fund salary (\$31,792.50) and fringe (\$13,019.60) for one full-time and one part-time Counseling Specialist and to underwrite part of the salary costs (\$50,937.40) of the Coordinator of the Police Department's Family and Victims Services Section. The funds were anticipated and included in the 2015-16 Budget of the Police Department, contingent upon its adoption at the June Council meeting.

June 16, 2015

The term of this grant is October 1, 2014 through September 30, 2018. No matching funds are required.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-213
(Int. No. 231)

Authorizing agreements for the 2015 Justice Assistance Grant Program

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with the United States Department of Justice, Bureau of Justice Assistance, for funding under the 2015 Justice Assistance Grant Program in the amount of \$174,090, and said amount is hereby appropriated for this purpose. The term of the agreement shall be October 1, 2014 through September 30, 2018.

Section 2. The Mayor is hereby further authorized to enter into an agreement with the County of Monroe in the maximum amount of \$78,340.50 to fund the Monroe County Probation Department's Operation Nightwatch Program. Said amount shall be funded from the amounts appropriated herein.

Section 3. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-214
Re: Agreement - Rochester Institute
of Technology, Project Safe
Neighborhoods Grant

Council Priority: Public Safety

Transmitted herewith for your approval is legislation related to the Project Safe Neighborhoods Grant. This legislation will:

1. Authorize an agreement with Rochester Institute of Technology (RIT), Center for Public Safety Initiatives for the receipt and use of up to \$70,000 for a Project Safe Neighborhoods grant; and
2. Amend the proposed 2015-16 Budget of the Police Department, upon its approval, in the amount of \$35,000 to reflect a portion of these funds. \$25,800 will be used for

June 16, 2015

salary and \$9,200 will be used for fringe. The balance will be included in future proposed budgets.

The Police Department is receiving a sub-award from the Project Safe Neighborhoods grant that RIT was awarded by the US Department of Justice. This project seeks to create safe neighborhoods through the sustained reduction of violent crime associated with gang and gun violence. It draws on a Smart Policing Initiative (SPI) that was developed to identify, assess, and intervene in situations where the probability of dispute-related gun violence is believed to be high. Project Safe Neighborhoods will support the next phases of the initial SPI project with full implementation of the gun and gang-related dispute violence prevention program and, in particular, it will support a range of dispute resolution strategies and services provided by criminal justice system agencies and community partners. The program will be implemented across the City of Rochester with a particular focus on the geographic areas where analysis has shown there to be persistent hotspots of violence.

RIT will be responsible for preparing the results and reports of grant activities for review by the US Department of Justice for possible national implementation. The grant will be used for police overtime, including fringe, related to the planning and implementation of a comprehensive dispute intervention/prevention strategy.

This is the first time the Police Department has received this grant. The award will be for a two year period with a mutually agreed upon effective date in the near future.

Respectfully submitted,
Lovely A. Warren
Mayor

Ordinance No. 2015-214
(Int. No. 232)

Authorizing an agreement with the Rochester Institute of Technology, Center for Public Safety Initiatives for the receipt and use of a Project Safe Neighborhoods grant and amending the Budget

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with the Rochester Institute of Technology (RIT), Center for Public Safety Initiatives for the receipt and use up to \$70,000 for a Project Safe Neighborhoods grant. The agreement shall have a term of two years.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. The 2015-16 Budget of the City of Rochester, as proposed, is hereby amended by increasing the revenue estimates and appropriations of the Rochester Police Department by \$35,000 to reflect a portion of the funds to be received pursuant to the Project Safe Neighborhoods grant.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

By Councilmember Spaul

June 16, 2015

June 16, 2015

To the Council:

The Arts & Culture Committee recommends for Adoption the following entitled legislation:

- | | |
|--------------|---|
| Int. No. 233 | Authorizing agreements for services related to art conservation |
| Int. No. 234 | Establishing maximum compensation for an agreement for the Puerto Rican Festival |
| Int. No. 235 | Establishing maximum compensation for an agreement with Geva Theatre Center, Inc. |

Respectfully submitted,
Elaine M. Spaul
Adam C. McFadden
Jacklyn Ortiz
Dana K. Miller
Loretta C. Scott
ARTS & CULTURE COMMITTEE

Received, filed, and published.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-215
Re: Term Agreements - Art Conservation
Services

Council Priority: Creating and Sustaining
a Culture of Vibrancy

Transmitted herewith for your approval is legislation authorizing term agreements with two companies for the provision of various art conservation services. The agreements will provide services at specified unit prices for a term of three years, with an option to renew for an additional three years. The agreements will be financed from the annual budgets of the Department of Environmental Services and, if necessary, the departments using the services or from capital funds appropriated for specific projects. The companies are:

<u>Company</u>	<u>Address</u>
West Lake Conservators, Ltd.	4207 Railroad Street, Skaneateles, New York 13152
Ellis Art Conservation	152 Crosman Terrace, Rochester, New York 14620

Services may include examination, documentation, treatment, preservation and preventative care of items in the City's art collection. The conservators will follow the guidelines, professional standards and code of ethics of the American Institute for Conservation of Historic and Artistic Works.

June 16, 2015

West Lake Conservators, Ltd. and Ellis Art Conservation were selected through a request for proposal process, which is described in the attached summary.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-124

Ordinance No. 2015-215
(Int. No. 233)

Authorizing agreements for services related to art conservation

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into agreements with the following companies for services related to art conservation as required by the City:

West Lake Conservators, Ltd.
Ellis Art Conservation

Section 2. The agreements shall extend for a term of three years with an option to extend for an additional three years, and shall obligate the City to pay specified unit prices in an amount not to exceed the amount budgeted for such services, which shall be funded from the annual Budget of the Department of Environmental Services, or other Departments using these services, or from capital project appropriations.

Section 3. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-216
Re: Agreement - The Puerto Rican
Festival, Inc., 2015 Puerto Rican
Festival

Council Priority: Creating and Sustaining
a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$30,000 as maximum compensation for an agreement with The Puerto Rican Festival, Inc., Rochester, New York, for the 2015 Puerto Rican Festival. The cost of this agreement will be financed from the 2015-16 Budget of the Bureau of Communications, contingent upon adoption of said budget.

June 16, 2015

This year's festival will be held August 21-23 at the Frontier Field VIP Parking Lot and averages a daily attendance of 8,500 people of all cultures and ethnic backgrounds. The City's sponsorship will support free admission for the first two hours on Friday and Saturday, as well as several free activities during the festival. It provides free children's activities, a boxing exhibition, free youth participation and performance showcase, and a free agency fair on Saturday.

The Puerto Rican Festival, Inc. sponsors a variety of events year-round, which serve to share and celebrate Puerto Rican culture. The largest event is the Puerto Rican Festival, which is in its 46th year and is the longest running cultural festival in Monroe County.

The Puerto Rican Festival, Inc. was established in 1969 for the express purpose of celebrating and recognizing the culture of Puerto Ricans. Puerto Ricans continue to be one of the largest growing Hispanic populations in New York State. This growth now makes Monroe County and the City of Rochester home to the second largest population of Hispanics in the state.

A justification statement for not issuing a request for proposals is attached.

A similar agreement was authorized by Ordinance No. 2014-193 in June 2014.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO-125

Ordinance No. 2015-216
(Int. No. 234)

Establishing maximum compensation for an agreement for the Puerto Rican Festival

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The sum of \$30,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an agreement between the City and the Puerto Rican Festival, Inc. for the 2015 Puerto Rican Festival. Said amount shall be funded from the 2015-16 Budget of the Bureau of Communications, contingent on adoption of that budget.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL
Ladies and Gentlemen:

Ordinance No. 2015-217
Re: Agreement - Geva Theatre Center,
Celebration of Son House

Council Priority: Creating and Sustaining

June 16, 2015

a Culture of Vibrancy

Transmitted herewith for your approval is legislation establishing \$30,000 as maximum compensation for an agreement with the Geva Theatre Center, Rochester, New York, for a four-day festival titled "Journey to the Son: Celebration of Son House," honoring Rochester's adopted son and Father of the Blues, Eddie "Son" House. The cost of the agreement will be funded from the 2015-16 Budget of the Bureau of Communications, contingent upon approval of said budget.

The celebration, scheduled for August 26-29, 2015, will invite participants to examine the deep impact of the Delta blues on American music, explore the clash of secular music and religious views, oral traditions and the appropriation of traditionally black music, and the life and times of Eddie "Son" House. It will include lectures, panel discussions, play reading, a call for academic papers, musical performances, storytelling and two new theatre pieces. City support will ensure that admission is free or very low cost to most events and exhibits in order to remove barriers to attendance and reach a broad audience from the City of Rochester through community based organizations. This four-day celebration is a collaboration between Geva and the University of Rochester, Eastman School of Music, National Public Radio affiliates, renowned Rochester-based musicians, music supporters and more.

A justification statement for not issuing a request for proposals is attached.

Respectfully submitted,
Lovely A. Warren
Mayor

Attachment No. AO- 126

Ordinance No. 2015-217
(Int. No. 235)

Establishing maximum compensation for an agreement with Geva Theatre Center, Inc.

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The sum of \$30,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an agreement between the City and Geva Theatre Centre, Inc. for a festival celebrating the life and music of Son House. Said amount shall be funded from the 2015-16 Budget of the Bureau of Communications, contingent on adoption of that budget.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

The meeting was adjourned at 9:02 p.m.

HAZEL L. WASHINGTON
City Clerk